MURRAY CITY HEARING OFFICER

NOTICE OF MEETING AND AGENDA

September 13, 2023

12:30 PM

Murray City Hall, 10 East 4800 South,

Poplar Conference Room #151

CALL MEETING TO ORDER

1. Conflict of Interest Disclosure

APPEAL(S)

2. Sonia Cordero - 20 East Winchester Street
Case #1608
Appeal of Section 17.24. Allowing Home Occupation Businesses only within a Residential Zone
Project #23-086

3. Applegate LLC - 770 West Applegate Drive (apx)
Case #1607
Appeal of Planning Commission Conditions of Approval for a Conditional Use Permit and Subdivision Approval
Project #23-086

ANNOUNCEMENTS AND QUESTIONS

ADJOURNMENT

The next scheduled meeting will be held on **Wednesday, October 11, 2023, at 12:30 p.m. MST located at Murray City Hall, Poplar Room #151, 10 East 4800 South, Murray UT 84107.**

Special Accommodations for the hearing or visually impaired will be made upon a request to the office of Murray City Recorder (801-264-2662). We would appreciate notification two working days prior to the meeting. TTY is Relay Utah at #711.

Committee members may participate in the meeting via telephonic communication. If a Committee member does participate via telephonic communication, the Committee member will be on speakerphone. The speakerphone will be amplified so that the other Committee members and all other persons present will be able to hear all discussions.

At least 24 hours prior to the meeting, a copy of the foregoing notice was sent to the City Recorder to post in conspicuous view in the front foyer of the Murray City Center, Murray, Utah. A copy of this notice was also posted on Murray City's internet website www.murray.utah.gov and the state noticing website at http://

MURRAY CITY CORPORATION
COMMUNITY & ECONOMIC DEVELOPMENT

Building Division 801-270-2400
Planning Division 801-270-2430

HEARING OFFICER MEETING
AGENDA ITEM #2

ITEM TYPE:	Appeal of Land Use Determination		
ADDRESS:	20 East Winchester Street	**MEETING DATE:**	September 13, 2023
APPLICANT:	Sonia Cordero | SC Accounting	**STAFF:**	Susan Nixon, Senior Planner
PARCEL ID:	22-19-152-009	**CASE NUMBER:**	1608
ZONE:	G-O, General Office	**PROJECT NUMBER:**	23-089
SIZE:	.35 acres		
REQUEST:	An appeal to Section 17.24.010 that allow home occupation businesses "*in residential districts* "; and 17.24.030.(c) that allows a home occupation business owner to "opt-in" requiring "*the applicant to meet all regulations outlined in Chapter 17 and 5, and shall pay the license fees outlined*."		

I. PROPERTY BACKGROUND & DESCRIPTION of REQUEST

Ms. Cordero is appealing a determination made by staff as to the allowable use of the subject property at 20 East Winchester Street. The subject property currently has a single-family dwelling originally constructed in 1952.

The appeal is two-fold:

1. The ability for the property owner to have a single-family dwelling with an attached nonresidential use.*****
2. Being able to have a home occupation business at the residence located within the G-O (General Office) Zone.

*****For purposes of clarification, the appeal to item #1 referenced above will not be part of this hearing and has been settled by the City's Attorney's office.

The current zoning for the property is G-O, General Office. The purpose of the G-O Zone , Section 17.144.010, states: *To provide for a wide variety of general office uses in an attractive office environment. This zone is often used in buffer or transition areas separating commercial/industrial uses from residential areas. Increased emphasis is given to quality design, materials, landscaping, neighborhood compatibility, and off-street parking facilities.* This clearly indicates that the G-O Zone is not a mixed-use zone.

State Code defines a business in 10-1-203(1)(a): "Business" means any enterprise carried on for the purpose of gain or economic profit, except that the acts of employees rendering services to employers are not included in this definition.
State Code 10-1-203(2) allows a municipality to require a business license: "*The legislative body of a municipality may license for the purpose of regulation any business within the limits of the municipality, may regulate that business by ordinance, and may impose fees on businesses to recover the municipality's costs of regulation."*
Sate Code 10-1-203 (5) allows a municipality to impose business license fees:
Before the legislative body of a municipality imposes a license fee on a business that causes disproportionate costs of municipal services under Subsection (5)(a)(i)(C)(I), the legislative body of the municipality shall adopt an ordinance defining for purposes of the tax.

Murray City Code Section 17.24.030.C. states: *The owner of a minor home occupation may request a home occupation business license from the City. If the owner of a minor home occupation requests a business license, the applicant shall be subject to all regulations outlined in this chapter and title 5 of this code, and shall pay the license fees outlined in section 5.08.010 of this code." Business License Code Section 05.08.010 states: The fee schedule or home occupation businesses is $100.*

Property History

In March of 2015, the property owners (Ken Bell and Steve McPhie) obtained a zone map amendment from the City Council changing the zoning from R-1-8 to G-O. In 2020 the property owners applied for a commercial two-lot subdivision. The subdivision was approved by the Planning Commission and the plat was recorded. The existing cell tower on the westerly end of the property was split off from the remaining property containing a single-family residential dwelling. The residential dwelling was originally built in 1952. At the time of the subdivision, the dwelling should have either been removed from the property or brought into compliance with the G-O Zoning regulations. Per Section 17.52, Nonconforming Uses/Structures, that made the single-family. That did not occur, making the residential single-family dwelling noncompliant.

At the time of subdivision review and approval, the single-family dwelling should have been brought up to code so as to conform with the existing G-O Zoning regulations, i.e. either the home be converted into an office use by way of going through a formal change of use; or the home being removed from the property. Staff errored by not making that a condition of approval; however, the code (s)still implies such requirement. The single-family home at this point has been deemed as noncompliant. It is a standard practice at the time of subdivision review, that conditions have been imposed for removal of structures that will not meet city code, such as a detached accessory structure must be removed if it is not to stay on the same parcel/lot of the main dwelling with the division.

Shortly after Sonia Cordero purchased the property in April on 2022, she came into the Planning/Zoning and Business License office to obtain a business license for her accounting business in her home. Staff (Susan Nixon) had an extensive conversation with her at the front counter informing her that she could not have a business operation or home occupation business at that location because it is in the G-O Zone. She was shocked and upset with the news. There has been at least one similar subsequent conversation with Ms. Cordero with Zachary Smallwood informing her similarly. Ms. Cordero purchased the property on April 6, 2022, under her business "AIR PLUS PROPERTIES, LLC" and secured the property with a commercial loan without having first checked with the city for land use verification. It wasn't until after Ms. Cordero purchased the property that she came to the city wanting to obtain a business license for her accounting business.

On June 22, 2023, the Business License Division issued a home occupation business license in error to an application sent in via postal mail. The business license was later revoked based on being "issued in error".

II. STANDARD of REVEIW

An administrative decision is statutorily presumed to be valid, and the Hearing Officer is limited to determining whether the decision is arbitrary, capricious, or illegal. A final decision of a land use authority or an appeal authority is valid if the decision is supported by substantial evidence in the record and is not arbitrary, capricious, or illegal. Local land use authority is afforded a comparatively wide latitude of discretion. Interpretation and application of local ordinances are afforded some deference based upon the local authorities' specialized knowledge.

Substantial evidence is that quantum and quality of relevant evidence that is adequate to convince a reasonable mind to support a conclusion. Substantial evidence is more than a mere scintilla of evidence, though something less than the weight of the evidence.

When reviewing the determination under the substantial evidence test, the Hearing Officer does not conduct a de novo review or a reweighing of the evidence. The Hearing Officer will not substitute his judgment as between two reasonably conflicting views, even though he may have come to a different conclusion had the case come before him for de novo review.

Because the party seeking review of a decision must show that the land use authority's factual determinations are not supported by substantial evidence, the Hearing Officer examines the facts and all legitimate inferences drawn therefrom in the light most favorable to the land use authority's findings.

III. LAND USE ORDINANCE

Section 17.08.020 defines "Land Use Authority" as the Planning Commission, the Department Director or a staff member when making any order, requirement, decision, or determination in the enforcement of Title 16 or 17 of the Murray Municipal Code or any other related ordinance. This application is an appeal of a determination made by the Planning Division Staff regarding the land uses allowed for the subject property.

For appeals from a decision made by the Land Use Authority, Municipal Code 17.16.040 outlines the Standard of Review which states:

A. The review by the hearing officer of the appeal shall be limited to the record of the land use application process resulting in the decision made by the land use authority which is the subject of the appeal. The record may include

written communications, the land use application, staff reports, meeting minutes and the written land use decision.

C. *The appellant has the burden of proving that the land use authority erred.*

D. *The hearing officer shall determine whether the record on appeal includes substantial evidence for each essential finding of fact.*

E. *The hearing officer shall:*

1. *Determine the correctness of the land use authority's interpretation and application of the plan meaning of land use regulations; and*
2. *Interpret and apply a land use regulation to favor a land use application unless the land use regulation plainly restricts the land use application.*

Based on this information, the record may include written communications, the land use application, staff reports, written and use decisions based on practiced policies.

IV. ATTACHMENTS

The following documents and materials to this report for the Hearing Officer's review of the record:

Attachment A – Appellant's application and written appeal.

Attachment B – Appeal of Land Use Decision written by Murray City Attorney's office

Attachment C – Email to Fred Cox dated June 28, 2023, from Susan Nixon, Senior Planner in response to a conversation held earlier that day relaying the determination of the status of the subject property. A letter from Susan Nixon, dated August 4, 2023, regarding status of the appeal "Application Incomplete" requesting additional information.

Attachment D: Letter from Murray City Attorney's office dated August 22, 2023 to Sonia Cordero. Issued in Error Letter dated July 21, 2023, Business License Certificate issued June 22, 2023.

Attachment E –Copy of the G-O Zone, Section 17.144; copy of Home Occupation, Section 17.24; Notes from staff's file "20 E Winchester Street"; Recorded Plat of "Winchester Corner" Subdivision; Salt Lake County Recorders parcel ownership data; State of Utah Business Name Registration for Air Plus Properties, LLC; Trust Deed for Air Plus Properties.

V. THE APPEAL

The application is an appeal to Section 17.24.010 which allow home occupation businesses "*in residential districts* "; and 17.24.030.(c) that allows a home occupation

business owner to "opt-in" requiring "*the applicant to meet all regulations outlined in Chapter 17 and 5, and shall pay the license fees outlined*."

It is Staff's opinion that the possible remedies for the property are: to either convert the existing dwelling into an office use by way of going through a formal "Change of Use" process with the Building & Zoning Divisions, or removal of the existing dwelling.

Staff Determination

In making a determination, Staff identifies and relies upon several findings which are:

Zoning History:

- The building was originally constructed in 1952 and has remained a single-family dwelling since that time.
- Zoned March 2015 from R-1-8 to G-O (Ken Bell & Steve McPhie)
- Current Zone – G-O.
- Commercial Subdivision approved 9/17/2020.
- When the property was subdivided in 2020, the single-family should have either been removed or changed to an office use prior to the subdivision. The dwelling is now non-compliant. Refer to Section 17.52, Nonconforming uses/structures.
- Sonia Cordero purchased the property on 4/6/22.
- The property is under the ownership of Air Plus Properties. The loan/mortgage holder is for a commercial loan, not residential.
- There is no record of conversations with Ms. Cordero prior to her purchasing the property regarding the zoning and allowed uses. The only conversations with Ms. Cordero were after she purchased the property.
- Staff keeps on record Zoning Determinations made on properties in the city. There is no record on file for 20 East Winchester Street prior to this appeal.

- Licensing History: The business license that was issued on 6/23/23 has since been revoked and was issued in error.

- Nonconforming Status: Based on the property's zoning and the officially licensed uses, planning staff established the time that such use of the property was subdivided, the single-family dwelling changed from legal nonconforming to non-compliant.

VI. FINDINGS

Based on the review of the appellant's narrative arguments and the record, staff finds the following:

A. State Code defines a business in 10-1-203(1)(a): "Business" means any enterprise carried on for the purpose of gain or economic profit, except that the acts of employees rendering services to employers are not included in this definition.

B. State Code 10-1-203(2) allows a municipality to require a business license: "*The legislative body of a municipality may license for the purpose of regulation any business within the limits of the municipality, may regulate that business by ordinance, and may impose fees on businesses to recover the municipality's costs of regulation."*

C. State Code 10-1-203 (5) allows a municipality to impose business license fees: *Before the legislative body of a municipality imposes a license fee on a business that causes disproportionate costs of municipal services under Subsection (5)(a)(i)(C)(I), the legislative body of the municipality shall adopt an ordinance defining for purposes of the tax.*

D. Murray City Code Section 17.24.030.C. states: *The owner of a minor home occupation may request a home occupation business license from the City. If the owner of a minor home occupation requests a business license, the applicant shall be subject to all regulations outlined in this chapter and title 5 of this code, and shall pay the license fees outlined in section 5.08.010 of this code." Business License Code Section 05.08.010 states: The fee schedule or home occupation businesses is $100*

E. Utah State Code Sections 10-9a-103(3)(a) and 10-9a-511(2)(b) establish compliance to local Land Use regulations for the subdivision of property.

VII. CONCLUSION / RECOMMENDATION

Based on the findings stated above, review and analysis of the appellant's narrative arguments, and the record as presented, **Staff recommends DENIAL of the appeal**.

NOTE: A decision of a Hearing Officer takes effect on the date when the Hearing Officer issues a written decision. (Murray City Municipal Code Section 17.16.060(A).)

An appeal of the decision by the Hearing Officer may be made to the Utah District Court in compliance with Section 10-9a-801 of the Utah Code.

Attachment A

Appeal Letter of a land use

I am writing this letter to appeal a land use decision. These are the facts surrounding these circumstances. I applied as an opt-in minor business license to Murray City, I was granted that license (attached), then I received an email from Murray City business license issued in error.

I believe that Due to a lack of interpretation from Susan Nixon, we are having an issue with this license. Her interpretation is read as follows:

Alleged Errors

1) I can't attach a residence in the zone to a commercial building, as allowed in zoning.

2) I can't have a home-based business is not allowed in that zone, as it is optional under state law. See 10-1-203, Items 7 and 8.

17.16.030 (C) (3)

My property is in the commercial zone, with land (that can be used for an ADU), I am asking the city to allow me to work from home, I am a resident of Murray and have been denied an optional minor home occupation which gives me standing to appeal.

Standing.

Susan implied that I might have stood to appeal with the attached email, I also have sought approval to attach my home to a non-residential structure per LU #1113, which is allowed in the G-O zone. Basically, Murray City is telling me to stop operating my business. How am I supposed to survive this situation? How am I supposed to pay my bills?

Reasons why the decision was made by error.

Zoning 17.24.020 has 3 definitions, one of which is a minor home occupation, which fits my use. 17.24.030 (b) states that the city cannot charge a fee or require a license. (c) does allow an opt-in, but if the conflict between 17.24.020 and 17.24.030 does not allow an opt-in, they still cannot take away my rights under 17.24.030 (b) and 10-1-203 (7).

Zoning 1113 Land Use is defined in 2 documents, but neither defines a caretaker use, just that the residential unit must be attached.

It is with hope that I plead the Murray City to allow me to keep running my business from home and allow me to construct an attached commercial building.

Sonia Cordero

08-10-2023.

APPEAL OF A LAND USE DECISION APPLICATION

Type of Appeal (check one):

Conditional Use Permit _____ Site Plan Review _____ Staff Determination X

Project Name: _____

Project Address: 20 East Winchester St. Murray - UT 84107

Parcel Identification (Sidwell) Number: 22-19-152-009

Parcel Area(acres): 0.35 Zoning District: GO

Applicant Information

Name: Sonia Cordero.

Mailing Address: 20 East Winchester St.

City: Murray State: UT ZIP: 84107

Primary Phone #: 801-521-2803 Fax #: _____

Email Address: sonia@scaccountingtaxservices.com

Property Owner's Information (If different)

Name: _____

Mailing Address: _____

City: _____ State: _____ ZIP: _____

Primary Phone #: _____ Fax #: _____

Email Address: _____

Authorized Signature: _____ Date: _____

For Office Use Only

Project Number: _____ Date Accepted: _____

Planner Assigned: _____

Property Owners Affidavit

I (we) Sonia Cordero, being first duly sworn, depose and say that I (we) am (are) the current owner of the property involved in this application: that I (we) have read the application and attached plans and other exhibits and are familiar with its contents; and that said contents are in all respects true and correct based upon my personal knowledge.

Owner's Signature _____ Owner's Signature (co-owner if any) _____

State of Utah

§

County of Salt Lake

Subscribed and sworn to before me this 17 day of July, 20 23.

Notary Public

Residing in Murray My commission expires: Apr 13, 2026

DAVID COVARRUBIAS
Notary Public - State of Utah
Comm. No. 724177
My Commission Expires on
Apr 13, 2026

Agent Authorization

I (we), _____, the owner(s) of the real property located at

_____, in Murray City, Utah, do hereby appoint

_____, as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and authorize

_____ to appear on my (our) behalf before any City board or commission considering this application.

Owner's Signature _____ Owner's Signature (co-owner if any) _____

State of Utah

§

County of Salt Lake

On the _____day of _____, 20 _____, personally appeared

before me_____ the signer(s) of the above *Agent Authorization* who duly acknowledge to me that they executed the same.

Notary public

Residing in _____ My commission expires: _____

MURRAY CITY CORPORATION
COMMUNITY & ECONOMIC DEVELOPMENT

Planning Division 801-270-2430

APPLICATION INCOMPLETE

August 4, 2023

S C Accounting Tax Services, LLC
Attn: Sonia Cordero
20 East Winchester Street
Murray, UT 84107

RE: Incomplete Appeal Application

Dear Ms. Cordero:

We received your Appeal of a Land Use form and check #0009 in the amount of $100.00, which we are returning because it is incomplete. To complete the appeal application, per Municipal Land Use Code Section 17.16.030(C)(3): in addition to the application form filled out we need:

- A written statement, no more than five (5) pages with one-inch (1") margins, single-spaced, that concisely: (a) explains the appellant's standing to appeal; (b) identifies the alleged error in the administration or interpretation of the city's land use ordinances that is grounds for the appeal; and (c) provides reasons the appellant claims the applicable decision was made in error.
- The application must be signed and dated on the bottom line as indicated "Authorized Signature" and "Date".

The time frame to Appeal a Staff Determination is ten (10) calendar days from the date you receive this letter. Upon receipt of a completed appeal application, the matter shall be placed on the next available hearing officer agenda for which the item may be reasonably scheduled. The hearing officer shall proceed to take all steps necessary to review and hear the appeal at a public meeting. The hearing officer shall respect the due process rights of each of the participants.

I am including the Appeal of Land Use Decision application for your convenience and reference.

Sincerely,

Susan Nixon, Senior Planner
Murray City Planning Division
10 West 4800 South Murray, Utah 84107
Phone: (801) 270-2430

CC: Fred Cox via email to fred@entelen.com

MURRAY CITY CORPORATION
COMMUNITY & ECONOMIC DEVELOPMENT
4646 South 500 West Murray, Utah 84123 (801) 270-2425
blicenses@murray.utah.gov

FOR OFFICE USE ONLY
☐ New Address ☐ New Owner
☐ Update Only New Account
Business ID #

HOME OCCUPATION BUSINESS LICENSE APPLICATION

Do you own this property? Yes X No ___ (If no, complete the "Property Owner Authorization to Conduct Business" form.)
Do employees or customers visit your home for business? No X Yes ___
(If yes, include a site plan of the proposed off-street parking.)

Federal Tax ID # (FEIN or SSN) 20-8756074
Utah Sales Tax #
Professional License # & type
Are you a Minor Home Occupation Opting-In? If yes, initial here SC

Are you currently operating at this location? Yes X No ___ What is/was your opening date? 01-20-2023
Business Name SC Accounting Tax Services LLC
DBA Name (registered only)
Business Address 20 East Winchster St, Unit ___ City Murry State UT Zip Code 84107
Mailing Address 20 East Winchster St Unit ___ City Murray State UT Zip Code 84107
Business Phone 801-521-2803 Email (please print clearly) Sonia@scaccountingtaxservices.com
Detailed Description of Business Bookkeeping, Accounting online Client business.
Expected Hours of Operation: Mon Varies Tues ___ Wed ___ Thurs ___ Fri ___ Sat ___ Sun ___
Expected Number of Clients Per Hour: Mon N/A Tues ___ Wed ___ Thurs ___ Fri ___ Sat ___ Sun ___
Where in your home is the proposed business operation and storage to be located? using a room Northwest Corner.

Owner's Information (If corporate owned, list the corporation name and the corporate address & phone number only. Complete the owner/officer sheet)
Owner's Name
Home Address Unit ___ City ___ State ___ Zip Code ___
Owner's Birth Date ___ Email (please print clearly):
Owner's Primary Phone ___ Owner's Driver's License No. ___ State ___

Base Fee:		$ 100
Regulatory Fee & Type:		$
Number of Employees:	@ $6.00 per employee	$
Number of Vehicles:	@ $10.00 per vehicle	$
	Fees Subtotal:	$ 100
Operating without a license penalty fee is equal to your subtotal amount (Murray Code 5.04.260)	Penalty:	$
	Total Due:	$ 100.

I am aware that this application does not authorize conducting business until approved by Murray City Corporation and a business license has been issued. By signing below, I swear that the foregoing information is true and correct and is in accordance with Murray City Ordinances. Responsibility of changes and renewal is the total responsibility of licensee. Failure to receive notices does not excuse this responsibility. License will be valid only for the Licensee, business name, address & activity as listed above.

Owner or Officer Signature (Required for Authorized Signatories Only) — Title: OWNER — Date: 05-08-23

MURRAY CITY CORPORATION
COMMUNITY & ECONOMIC DEVELOPMENT
4646 South 500 West Murray, Utah 84123 (801) 270-2425
blicenses@murray.utah.gov

HOME OCCUPATION OWNERS, OFFICERS AND EMPLOYEES INFORMATION LIST

Please supply us with information on all owners, officers and onsite employees associated with your business (required).

Name: Sonia Cordero		Title Master of Accountancy		
Home Address: 20 East Winchester Unit #		City: Murray	State: UT	Zip Code: 84107
Phone: 801-521-2803				
Birth Date: 11/08/70.	Driver's License No. IS9632130		State: UT	
Name:		Title		
Home Address:	Unit #	City:	State:	Zip Code:
Phone:				
Birth Date:	Driver's License No.		State:	
Name:		Title		
Home Address:	Unit #	City:	State:	Zip Code:
Phone:				
Birth Date:	Driver's License No.		State:	
Name:		Title		
Home Address:	Unit #	City:	State:	Zip Code:
Phone:				
Birth Date:	Driver's License No.		State:	
Name:		Title		
Home Address:		City:	State:	Zip Code:
Phone:				
Birth Date:		Driver's License No.		State:

MURRAY CITY FIRE DEPARTMENT BUSINESS SELF INSPECTION FORM

Business Name: SC Accounting 1 Owner Name: Sonia Condero

Business Phone: 801-591-2803 Business Contact Email: sonia@sc Accounting tax Services Corp

Date: 05-08-23 Address: 20 east Winchester St. Murray UT Zip: 84107

This next portion will not be posted or tracked by anyone but Murray City Emergency Responders. This is needed for Murray Fire department to contact to your business in the event of an emergency and your business is closed. Example: if you have a fire alarm or suspicion of a fire at 2am what are the 2 best contacts for key holders or access to prevent unneeded damage on false alarms.

Name: Sonia Condero Contact 24-hour number: 801-652-8755 Response time: Any time

Name: _____ Contact 24-hour number: _____ Response time: _____

To comply with Murray City adopted building and fire code please answer the following questions to the best of your ability. These codes will assist your business in being safer and prevent unneeded accidents when followed.

Instructions:

1. Owner, manager, or other facility manager shall conduct this inspection form and return it to Murray City with your business license renewal each year.
2. Walk through your business and answer all questions below. If there is a simple solution, please correct it. If extra help is needed, please contact the necessary help to safely correct your violation.
3. When your inspection form is complete, and all questions are answered please sign and return this form with your business license application. For any questions please contact Fire Marshal at 801-264-2775

	Yes	NO	N/A
1. Is your address visible on the outside of your building from the street? Notes:	☒	☐	☐
2. Is your outside electrical panel and gas meter clear of debris and accessible? Notes:	☒	☐	☐
3. Are exits clearly visible, marked, and not blocked from any obstructions? All pathways, halls, doors, and other areas that lead to exiting a structure shall be kept clear and free of material. Notes:	☐	☐	☒
4. Fire Extinguishers (2A10BC) mounted every 75 feet of travel, visible, and serviced within the last year?Notes:	☒	☐	☐
5. Are all electrical outlets properly protected with face plates and needed protection measures? Notes:	☒	☐	☐
6. Is your business free from any extension cords being used as permanent power? Notes:	☒	☐	☐
7. In the electrical panel are circuit breakers are clear from any tape and all empty spaces are filled with spacers or not punched out? Notes:	☐	☐	☒
8. Flammable liquids, oily rags and other fire hazards are properly secured and protected in UL rated flammable containers? Notes:	☐	☐	☒
9. Is your business clean and free from piles of debris, garbage, or other hazardous items? Notes:	☒	☐	☐

You may request a fire department representative to come to your business to answer any questions? Murray Fire will conduct random inspections throughout the year, this form is to increase our business education, safety, and fire prevention.

Name of the person completing this form: _____ Date: 05-08-23

MURRAY CITY CORPORATION
COMMUNITY & ECONOMIC DEVELOPMENT
4646 South 500 West Murray, Utah 84123 (801) 270-2425
blicenses@murray.utah.gov

HOME OCCUPATION RENTAL PROPERTY OWNER AUTHORIZATION

This page to be completed only if you as the Business Owner are renting your home/property and do not own the property listed as the Business Address.

---------- This section to be completed by the Business Owner ----------

Name of Business: SC Accounting Tax Services

Business Owner's Name: Sonia Cordero

Business Owner's Phone Number: 801-521-2803

Property Address: 20 East Winchester St. Murray-UT 84107

Detailed Description of Business: Bookkeeping, Accounting

---------- This section to be completed and signed by the Property Owner----------

Property Owner's Name: Sonia Cordero
(Print name)

Property Owner's Phone Number: 801-652-8755

As the owner of the above listed property, I authorize [signature]

to conduct the business as described at the address above.

Signature: [signature] Date: 05-08-23

Murray City Corporation
10 East 4800 South Suite 260, Murray, UT 84107

BUSINESS LICENSE

THIS LICENSE EXPIRES 05/31/2024

SC Accounting &Tax Services L.L.C.
20 E Winchester St
Murray, UT 84107

BUSINESS ID #: 20707

This certifies that the person or entity named herein is authorized to conduct business as:

Tax Return Prep Services at: 20 E Winchester St

Date Issued: 06/22/2023

Online Bookkeeping &Tax Prep.
No Accounting Services
No Employees Visit The Home
No Customers Visit The Home
Opt-In Home Occupation

By _____
Mayor

By _____
City Recorder

This license is not transferable and is only valid for the location and the ownership as listed on this license.

Please detach the license above and post in a conspicuous place
Retain Bottom Portion for Receipt

BUSINESS LICENSE ***EXPIRES 05/31/2024***	Murray City Corporation 10 East 4800 South Murray, Utah 84107 (801) 270-2420	BUSINESS ID#: 20707

Business Name: SC Accounting &Tax Services L.L.C.
Business Address: 20 E Winchester St
City, State, Zip: Murray, UT 84107

This certifies that the person or entity named herein is authorized to conduct business as: *Tax Return Prep Services*

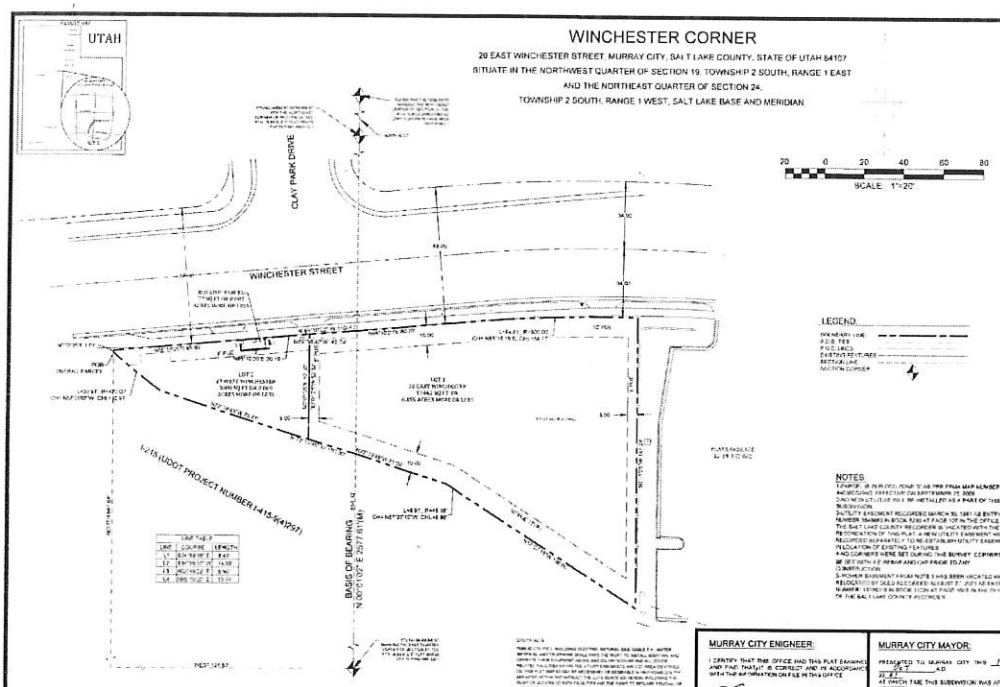
Licenses are valid only for the location and the ownership as listed on this license. Any changes will need to be reported to the Business Licensing Office. If the business no longer conducts business within Murray City, please notify our offices in writing.

Responsibility of renewal is total responsibility of the Licensee. Failure to receive notice does not excuse this responsibility.

Total Received: $100.00

WINCHESTER CORNER

20 EAST WINCHESTER STREET, MURRAY CITY, SALT LAKE COUNTY, STATE OF UTAH 84107
SITUATE IN THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 2 SOUTH, RANGE 1 EAST
AND THE NORTHEAST QUARTER OF SECTION 24,
TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN.



OWNER: CELL TOWER HOLDINGS, LLC
2993 EAST COUNTY ROAD, SALT LAKE CITY UTAH 84121
SURVEYOR: MATT STONES, PLS
842 SOUTH 1150 WEST, CLEARFIELD, UT 84015
801-231-5695

SURVEYOR'S CERTIFICATE

I, MATTHEW C. STONES, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH, HOLDING LICENSE NUMBER 7576113 AS PREVIOUSLY CERTIFY THAT THIS PLAT OF A PARCEL OF LAND SITUATE IN THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 2 SOUTH, RANGE 1 EAST, AND IN THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN HAS BEEN CORRECTLY DRAWN TO THE DESIGNATED SCALE, AND IS A TRUE AND CORRECT REPRESENTATION OF THE FOLLOWING DESCRIPTION OF LAND BASED UPON DATA COMPILED FROM RECORDS IN THE SALT LAKE COUNTY RECORDER'S AND SURVEYOR'S OFFICES AND AS SURVEYED ON THE GROUND.

DATE: 9-24-2021

MATTHEW C. STONES
7576113
LICENSE NUMBER

SIGNATURE

THIS SUBDIVISION WAS DONE UNDER THE AUTHORITY OF CELL TOWER HOLDINGS, LLC THE PROPERTY OWNERS. THE BASIS OF BEARING FOR THIS PLAT IS N 00°01'02" E BETWEEN THE EAST QUARTER CORNER OF SECTION 24 AND THE NORTHEAST CORNER OF SECTION 24, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN.

OVERALL PARCEL DESCRIPTION

BEGINNING AT A POINT 431.83 FEET WEST AND 949.61 FEET NORTH FROM THE EAST QUARTER CORNER OF SECTION 24, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE NORTH 207.00 FEET MORE OR LESS TO THE SOUTHERLY RIGHT OF WAY LINE OF WINCHESTER STREET; THENCE ALONG SAID RIGHT OF WAY LINE NORTH 89°15'00" EAST 132.43 FEET; TO A POINT ON A 500.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE ALONG SAID CURVE 84.91 FEET (CHORD BEARS: NORTH 84°23'22" EAST 84.81 FEET WITH A CHORD DISTANCE OF 84.91 FEET); THENCE NORTH 79°31'44" EAST 34.45 FEET; MORE OR LESS TO THE PRESENT MONUMENTED LINE; THENCE ALONG SAID MONUMENTED LINE NORTH 10°27'07" WEST 101.00 FEET; TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 8.97 FEET (CHORD BEARS: NORTH 10°49'38" WEST 8.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 13°16'49" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 15°43'59" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE NORTH 18°11'30" WEST 101.00 FEET TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 20°38'40" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 23°05'50" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 25°33'00" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 28°00'10" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 30°27'20" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 32°54'30" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 35°21'40" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 37°48'50" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 40°16'00" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 42°43'10" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 45°10'20" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 47°37'30" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 50°04'40" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 52°31'50" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 54°59'00" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 57°26'10" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 59°53'20" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 62°20'30" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 64°47'40" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 67°14'50" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 69°42'00" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 72°09'10" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 74°36'20" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 77°03'30" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 79°30'40" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 81°57'50" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 84°25'00" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 86°52'10" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 89°19'20" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 91°46'30" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 94°13'40" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 96°40'50" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 99°08'00" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 101°35'10" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 104°02'20" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 106°29'30" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 108°56'40" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 111°23'50" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 113°51'00" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 116°18'10" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 118°45'20" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 121°12'30" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 123°39'40" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 126°06'50" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 128°34'00" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 131°01'10" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 133°28'20" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 135°55'30" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 138°22'40" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 140°49'50" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 143°17'00" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 145°44'10" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 148°11'20" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 150°38'30" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 153°05'40" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 155°32'50" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 158°00'00" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 160°27'10" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 162°54'20" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 165°21'30" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 167°48'40" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 170°15'50" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 172°43'00" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 175°10'10" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 177°37'20" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 180°04'30" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 182°31'40" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 184°58'50" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 187°26'00" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 189°53'10" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 192°20'20" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 194°47'30" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 197°14'40" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 199°41'50" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 202°09'00" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 204°36'10" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 207°03'20" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 209°30'30" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 211°57'40" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 214°24'50" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 216°52'00" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 219°19'10" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 221°46'20" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 224°13'30" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 226°40'40" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 229°07'50" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 231°35'00" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 234°02'10" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 236°29'20" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 238°56'30" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 241°23'40" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 243°50'50" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 246°18'00" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 248°45'10" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 251°12'20" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 253°39'30" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 256°06'40" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 258°33'50" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 261°01'00" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 263°28'10" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 265°55'20" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 268°22'30" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 270°49'40" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 273°16'50" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 275°44'00" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 278°11'10" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 280°38'20" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 283°05'30" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 285°32'40" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 287°59'50" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 290°27'00" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 292°54'10" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 295°21'20" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 297°48'30" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 300°15'40" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 302°42'50" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 305°10'00" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 307°37'10" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 310°04'20" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 312°31'30" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 314°58'40" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 317°25'50" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 319°53'00" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 322°20'10" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 324°47'20" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 327°14'30" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 329°41'40" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 332°08'50" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 334°36'00" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 337°03'10" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 339°30'20" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 341°57'30" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 344°24'40" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 346°51'50" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 349°19'00" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 351°46'10" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 354°13'20" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 356°40'30" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 359°07'40" WEST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 1°34'50" EAST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 4°02'00" EAST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 6°29'10" EAST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 8°56'20" EAST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 11°23'30" EAST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 13°50'40" EAST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 16°17'50" EAST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 18°45'00" EAST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 21°12'10" EAST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 23°39'20" EAST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 26°06'30" EAST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 28°33'40" EAST 39.97 FEET) TO A POINT ON A 467.19 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 39.98 FEET (CHORD BEARS: NORTH 31°

CHAPTER 17.144

GENERAL OFFICE DISTRICT G-O

SECTION:

17.144.010: Purpose

17.144.020: Permitted Uses

17.144.030: Conditional Uses

17.144.040: Planning Commission Approval Required

17.144.050: Area And Coverage Regulations

17.144.060: Side Yard Regulations

17.144.070: Front Yard Regulations

17.144.080: Rear Yard Regulations

17.144.090: Lot Width Regulations

17.144.100: Height Regulations

17.144.110: Refuse Container Enclosed

17.144.120: Parking Regulations

17.144.130: Landscaping Regulations

17.144.140: Fencing Regulations

17.144.010: PURPOSE:

To provide for a wide variety of general office uses in an attractive office environment. This zone is often used in buffer or transition areas separating commercial/industrial uses from residential areas. Increased emphasis is given to quality design, materials, landscaping, neighborhood compatibility, and off street parking facilities. (Ord. 07-30 § 2)

17.144.020: PERMITTED USES:

A. All uses and structures contained herein are listed by number as designated in the standard land use code published and maintained by the planning department.

B. The following uses are permitted in the G-O zone:

Use No.	Use Classification
Use No.	Use Classification
1113	Single-family dwelling, attached to nonresidential.
2834	Radiopharmaceutical manufacturing, preparations, meaning an entity that is engaged in manufacturing, preparing, propagating, compounding, practice of pharmacy, processing, packaging, repackaging, or labeling or pharmaceutical drugs containing radioactive isotopes.
4800	Utilities (lines and rights of way only) (except 4850).
5912	Prescriptions pharmacy (intended for the convenience of permitted, established uses and/or clients thereof, provided that no such business occupies more than 15 percent of the total floor area of the building in which it is located and has no separate street entrance).
5913	Medical cannabis pharmacy.
5996	Optical shops (intended for the convenience of permitted, established uses and/or clients thereof; provided, that no such business occupies more than 15 percent of the total floor area of the building in which it is located and has no separate street entrance).
6100	Finance, insurance, and real estate services (except 6112, 6123, 6124, 6141 - surety bail bonding only).
6221	Portrait photography.
6222	Commercial photography.
6230	Beauty and barber services.
6254	Shoe repair services.

6295	Body art and tattoo studios.
6495	Locksmiths (office only).
6499	Camera and musical instrument repair.

6516.1	Assisted living facilities.
6810	Nursery, primary, and secondary education.
6815	Commercial childcare center.
6820	University, college, junior college, and professional school education.

(Ord. 22-17: Ord. 16-41: Ord. 07-30 § 2)

17.144.040: PLANNING COMMISSION APPROVAL REQUIRED:
All structures constructed in this zone require a conditional use permit approved by the planning commission, except for accessory buildings and structures. (Ord. 07-30 § 2)

17.144.050: AREA AND COVERAGE REGULATIONS:
None, except as required by the planning commission for conditional use permit. (Ord. 07-30 § 2)

17.144.060: SIDE YARD REGULATIONS:
The minimum side yard for any office building shall be ten feet (10'). On corner lots, the side yard which faces on the street shall not be less than twenty feet (20'). When a side yard abuts a residential zoning district, the side yard setback shall be a minimum of twenty feet (20'). (Ord. 07-30 § 2)

17.144.070: FRONT YARD REGULATIONS:
The minimum depth of the front yard shall be twenty feet (20') from the property line or street right of way line. (Ord. 07-30 § 2)

17.144.080: REAR YARD REGULATIONS:
None, except for rear yards abutting a residential zoning district which shall require a minimum of twenty feet (20'). (Ord. 07-30 § 2)

17.144.090: LOT WIDTH REGULATIONS:
The minimum lot width for any lot shall be ninety feet (90'). (Ord. 07-30 § 2)

17.144.100: HEIGHT REGULATIONS:
A. Height: The height of a structure located within one hundred feet (100') of the nearest boundary of a residential zone district may not exceed thirty feet (30'). Beyond one hundred feet (100'), the building height may increase one foot (1') of height for each additional four feet (4') of setback from the residential zone district.

B. Measurement Of Distances:

1. For purposes of this section, the width of public or private roadways shall be included in computing setback distances. For example, if a roadway is located on the boundary of a residential zoning district, the measurements required under this section shall be made from the property line of that roadway which is nearest the residential use or zone. Otherwise, the measurement shall be made from the residential zoning district boundary.

2. Setback distances to structures located pursuant to this section shall be measured from the nearest residential zoning district boundary, except as otherwise provided in this section, to the nearest exterior wall of the structure.

C. Authority: Nothing in this section shall be construed to limit the authority of the planning commission to review building materials, design elements, and other aesthetic considerations as it deems proper to mitigate or modify the visual impact of the height of buildings upon surrounding land uses.

D. Decision Of Building Official: The city building official shall determine the height of a building under this section. That decision is deemed to be an administrative decision and may be appealed to the appeal authority as provided in this title. (Ord. 14-10: Ord. 07-30 § 2)

17.144.110: REFUSE CONTAINER ENCLOSED:
Each refuse container area shall be totally enclosed with a six foot (6') solid barrier fence. (Ord. 07-30 § 2)

17.144.120: PARKING REGULATIONS:
A. All general office uses will be calculated at the ratio of four (4) off street parking stalls for each one thousand (1,000) square feet of net usable floor area or as determined by the planning commission.

B. All medical, dental, and related office uses will require one off street parking stall for each two hundred (200) square feet of net usable office area.

C. All other uses shall be calculated at the rate of one parking stall for each two hundred (200) square feet of net usable area. (Ord. 07-30 § 2)

17.144.130: LANDSCAPING REGULATIONS:
A. Ten feet (10') of landscaping shall be required along all frontage areas not occupied by drive accesses

A. Ten feet (10') of landscaping shall be required along all frontage areas not occupied by drive accesses.

B. All landscaping must be sprinkled and planted with substantial live plant material for the purpose of buffering, screening and beautifying the site. At plant maturity the landscaping should represent, as a minimum standard, compatibility with surrounding developed properties and uses and must be permanently maintained by the owner or occupants.

C. Landscaping adjacent to a residential zoning boundary line will require a minimum landscaping buffer of ten feet (10') in width from the boundary line on the commercial side of the property excluding the fence, and curb wall if located adjacent to off street parking.

D. Landscaping adjacent to off street parking within the yard area will require a minimum landscaped area of five feet (5') providing it does not abut residential zoning. This requirement may be waived where the parking area is located in the rear or side yard and is not visible from the street.

E. Landscaping shall also be installed in all park strips to the same standards as other on site landscaping.

F. Landscaping must cover at least fifteen percent (15%) of the development site. (Ord. 07-30 § 2)

17.144.140: FENCING REGULATIONS:

Where the site abuts a residential zone, a six foot (6') high solid masonry wall shall be located on the property line. All fencing must comply with the city fence ordinance. (Ord. 07-30 § 2)

MURRAY CITY CORPORATION
COMMUNITY & ECONOMIC DEVELOPMENT

Building Division 801-270-2400
Planning Division 801-270-2420

SC Accounting & Tax Services LLC
20 E Winchester Street
Murray, UT 84107

July 21, 2023

Subject: Business License Issued in Error and Refund Process

Dear Sonia Cordero,

I hope this letter finds you well. I am writing to inform you of an administrative error that has occurred regarding the business license we issued to your company, SC Accounting & Tax Service L.L.C. I regret to inform you that the license #20707, issued on 6/22/2023, is not valid. Unfortunately, the location of your residence in the General Office Zone does not meet the land use ordinance section 17.24.020: Definitions; HOME OCCUPATION, GENERALLY: A business, occupation, profession, operation, managing or carrying on of a business for the purpose of economic gain, which activity is carried on as an accessory use *in a residential zone* by a bona fide resident of the dwelling. This definition shall not be construed to allow an employee, working in the employee's own home in the service of an employer who does not reside in the same dwelling.

Considering this situation, we will be taking the necessary steps to rectify the error by promptly canceling the business license that was issued in error and updating our records accordingly. You are requested to discontinue the use of the license and cease business operations at 20 E Winchester Street, at this time.

Furthermore, we understand that you have made a payment associated with the business license application. We apologize for any inconvenience caused, and we would like to assure you that a full refund will be issued to you in the amount of $100.00.

We sincerely apologize for any disruptions this may have caused to your business plans. If you have any questions or require further information, please do not hesitate to contact Murray City Business Licensing.

Once again, we sincerely apologize for any inconvenience caused, and we appreciate your understanding and cooperation in this matter.

Yours sincerely,

Priscilla Kowalski
Business License Specialist
801-270-2449
10 East 4800 South
Murray, Utah 84107

P. Kowalski

Refund Receipt - will be mailed by check to 20 E Winchester

Murray City
CITY HALL
5025 South State St
Murray City, UT 84107

A/R RECEIPT 1131829
DATE/TIME 07/21/23 14:29:
CLERK dhernand
INVOICE 21235

CUST: 218609

1	Business License Base Fee	-100.00
2	Employees	0.00
3	Vehicles	0.00

PREV BALANCE	0.00
AMOUNT PAID	-100.00
ADJUSTMENTS	0.00
NEW BALANCE	100.00

SSN/FID:
DBA:

RE: City Hall Sign - Murray

Susan Nixon <snixon@murray.utah.gov>
Fri 6/30/2023 8:53 AM
To:fred entelen.com <fred@entelen.com>

1 attachments (394 KB)
LU Appeal Application.pdf;

Hi Fred,

Thanks for your follow-up email referencing LU #1113. I am not going to continue to debate the issue. I discussed the issue further with my Director after you left the office which is why I followed up with my email. You have the option to appeal our administrative decision that has been in practice for many years. I am attaching the appeal application if you choose to go that route.

To clarify home-occupation business licensing, they are allowed only within residential zones. With regard to the business license issued to SC Accounting, which was issued last week (6/23/23), it was issued in error. Over the past few months both myself and my colleague, Zac, have spoken with the property owner, Sonia Cordero, in person and advised her that she could not have a home occupation business in the G-O zone. Apparently, she mailed her application in, and it slipped through the cracks and was issued.

Below is the code regarding business license regulations.

17.24.010: PURPOSE:
The purpose of this chapter is to allow and regulate certain income producing accessory uses in residential districts which are compatible with, and not detrimental to, the neighborhood in which they are located. Home occupations are limited to those uses which may be conducted within a residential dwelling without changing the appearance or condition of that residence.
HOME OCCUPATION, GENERALLY: A business, occupation, profession, operation, managing or carrying on of a business for the purpose of economic gain, which activity is carried on as an accessory use in a residential zone by a bona fide resident of the dwelling. This definition shall not be construed to allow an employee, working in the employee's own home in the service of an employer who does not reside in the same dwelling.

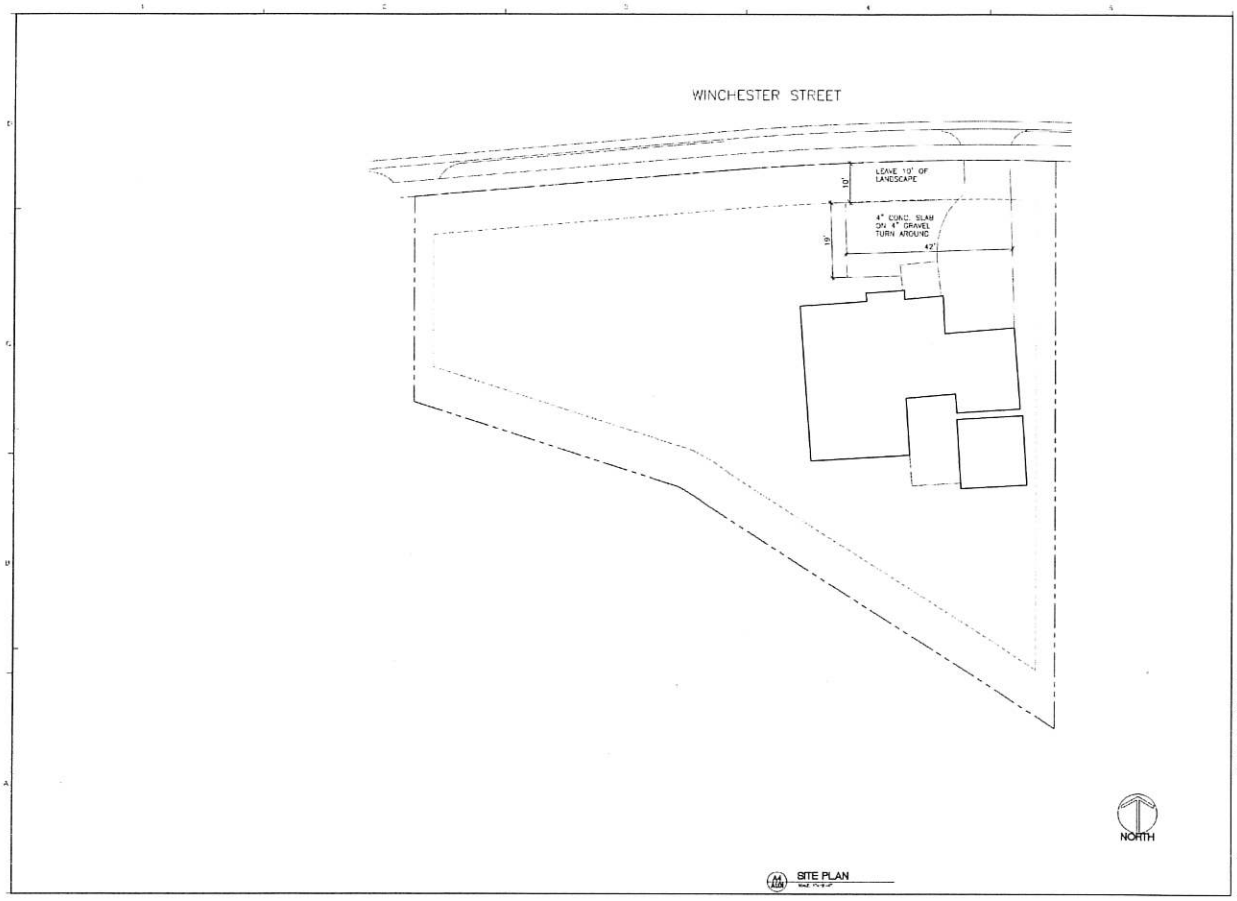
Best regads,

Susan Nixon
801-270-2423
snixon@murray.utah.gov

From: fred entelen.com <fred@entelen.com>
Sent: Thursday, June 29, 2023 4:43 PM
To: Susan Nixon <snixon@murray.utah.gov>
Subject: Re: City Hall Sign - Murray

Susan,

Thank You for passing on the concern.



SITE PLAN

ENTELEN

Consultant

No. Revisions Date

Project Title
SITE PLAN
20 E. WINCHESTER STREET
MURRAY, UTAH

Sheet Title
SITE PLAN

Proj. No.
20eWinch-A101-03'4

Drawn by:

Reviewed by:

Date Issued
JULY 14, 2023

Scale

Sheet No.
A1.01

Office of the Salt Lake County Auditor
2022 Notice of Property Valuation & Tax Changes
Chris Harding, CPA, CFE, CIA
Salt Lake County Auditor
www.slco.org/property-tax/

Go Paperless Sign up for e-notices at https://slco.org/enotices/

22-19-152-009-0000
AIR PLUS PROPERTIES LLC
20 E WINCHESTER ST
MURRAY UT 84107

Property Location:	20 E WINCHESTER ST
Acres:	.36
Above Ground Sq Ft:	1,394
Tax Area:	21
Type:	511 RESIDENCE ON COMMERCIAL PROP
Last Review:	2022
Parcel:	22-19-152-009-0000

2022 Market Value	2022 Proposed Property Tax	Appeal to County Board of Equalization by
$374,500	$1,854.39	09/15/22

NOTICE OF PROPERTY VALUATION

Assessment Type	2022 Market Value	COMPARE 2021 Market Value	RIGHT TO APPEAL
FULL MARKET VALUE	$374,500		If you believe the assessed value of your property is incorrect, you may begin the appeal process by filing an Appeal Form with the County Auditor by 09/15/22. Visit slco.org/property-tax/
RESIDENT EXEMPTION REDUCTION	<168,525>		
TOTAL TAXABLE VALUE	$205,975		

For detailed property valuation information visit slco.org/assessor/

NOTICE OF TAX CHANGES

TAXING ENTITY	2022 IF TAX INCREASE APPROVED		2022 IF NO BUDGET CHANGE		2022 CHANGE IF INCREASE APPROVED		2021		RIGHT TO BE HEARD A public meeting will be held
	Rate	Tax	Rate	Tax	Tax	%	Rate	Tax	Date/Time/Place
MURRAY SCHOOL DISTRICT	.003411	702.58	.003411	702.58					
STATE BASIC SCHOOL LEVY	.001652	340.27	.001401	288.57	$51.70	18%		NOT	2018 HB 293
UT CHARTER SCHOOL-MURRAY	.000042	8.65	.000042	8.65				APPLICABLE	
SALT LAKE COUNTY	.001459	300.52	.001459	300.52					
MURRAY CITY	.001513	311.64	.001317	271.27	$40.37	15%		NO DATA	AUG 09 6:30 PM 5025 SOUTH STATE STREET
MURRAY CITY LIBRARY	.000342	70.44	.000342	70.44				LAST YEAR	AUG 09 6:30 PM 5025 SOUTH STATE STREET
SO SL VALLEY MOSQUITO	.000009	1.85	.000009	1.85					
CENTRAL UT WATER CONSERV	.000400	82.39	.000322	66.32	$16.07	24%			AUG 22 6:00 PM 1426 E 750 N BLDG 2 OREM
MULTI COUNTY ASSESS/COLL	.000015	3.09	.000010	2.06	$1.03	50%			2020 SB 141 & 2022 SB 20
COUNTY ASSESS/COLL LEVY	.000160	32.96	.000160	32.97	$-.01				
TOTAL	.009003	1,854.39	.008473	1,745.23					

VALUES DO NOT INCLUDE TAX RELIEF, DELINQUENT TAXES, PERSONAL PROPERTY TAXES, OR SPECIAL ASSESSMENTS. THIS IS NOT A BILL. DO NOT PAY.

Attachment B

APPEAL OF A LAND USE DECISION

(Case No. 1608; Project No. 23-089)
(September 13, 2023)

Appellant:	Sonia Cordero
Land Use Authority Decision:	Planning Staff
Request:	Appeal of Home Occupation business license regulations in residential districts
Prepared By:	Murray City Attorney's Office

I. BACKGROUND

Murray Municipal Code Section 17.24,.010 Purpose: Home Occupations, allows and regulates certain income producing accessory uses in residential districts which are compatible with, and not detrimental to, the neighborhood in which they are located. Home occupations are limited to those uses which may be conducted within a residential dwelling without changing the appearance or conditions of that residence."

Definitions for Home Occupation businesses:

- Home Occupation, Generally: business, occupation, profession, operation, managing or carrying on of a business for the purpose of economic gain, which activity is carried on as an accessory use in a residential zone by a bona fide resident of the dwelling. This definition shall not be construed to allow an employee, working in the employee's own home in the service of an employer who does not reside in the same dwelling.
- Minor Home Occupation: Any home occupation business not classified as a major home occupation.

The appeal is two-fold:

1. The ability for the property owner to have a single-family dwelling with an attached nonresidential use.****
2. Being able to have a home occupation business at the residence located within the G-O (General Office) Zone.

****For purposes of clarification, the appeal to item #1 referenced above will not be part of this hearing and has been settled by the City's Attorney's office. The city has conceded that if Ms. Cordero applies for a building permit for an addition to her home and meets all building permit and zoning requirements, the city will give her the benefit of the doubt. Therefore, this issue is not part of this Brief.

History of the Property

In March of 2015, the property owners (Ken Bell and Steve McPhie) obtained a zone map amendment from the City Council changing the zoning from R-1-8 to G-O.
In 2020 the property owners applied for a commercial two-lot subdivision. The subdivision was approved by the Planning Commission and the plat was recorded. The existing cell tower on the westerly end of the property was split off from the remaining property containing a single-family residential dwelling. The residential dwelling was originally built in 1952. At the time of the subdivision, the dwelling should have either been removed from the property or brought into compliance with the G-O Zoning regulations. Per Section 17.52, Nonconforming Uses/Structures, that made the single-family. That did not occur, making the residential single-family dwelling noncompliant.

At the time of subdivision review and approval, the single-family dwelling should have been brought up to code so as to conform with the existing G-O Zoning regulations, i.e. either the home be converted into an office use by way of going through a formal change of use; or the home being removed from the property. Staff errored by not making that a condition of approval; however, the code(s) still implies such a requirement. The single-family home at this point has been deemed as noncompliant. It is a standard practice at the time of subdivision review, that conditions have been imposed for removal of structures that will not meet city code, for example such as a detached accessory structure must be removed if it is not to stay on the same parcel/lot of the main dwelling with the division.

Shortly after Sonia Cordero purchased the property in April on 2022, she came into the Planning/Zoning and Business License office to obtain a business license for her accounting business in her home. Staff (Susan Nixon) had an extensive conversation with her at the front counter informing her that she could not have a business operation or home occupation business at that location because it is in the G-O Zone. She was shocked and upset with the news. There has been at least one similar subsequent conversation with Ms. Cordero with Zachary Smallwood informing her similarly. Ms. Cordero purchased the property on April 6, 2022, under her business "AIR PLUS PROPERTIES, LLC" and secured the property with a commercial loan without having first checked with the city for land use verification. It wasn't until after Ms. Cordero purchased the property that she came to the city wanting to obtain a business license for her accounting business.

On June 22, 2023, the Business License Division issued a home occupation business license in error to an application sent in via postal mail. The business license was later revoked based on being "issued in error".

On June 29, 2023, Fred Cox, architect, came to the Planning Office inquiring about having an attached business to the single-family dwelling and had drawn up 4-5 sketches of various scenarios with an office attached and detached on the same property at 20 East Winchester Street. He showed staff a copy of the home occupation business license issued the prior week. He indicated he was basing his sketched plans on the section of the code 17.144.020, General Office, "Permitted Uses: 1113 – Single Family dwelling, attached to nonresidential."

Staff informed Mr. Cox that home occupation businesses are permitted only in "residential" zones. Staff sent Mr. Cox a follow-up email reconfirming the conversation (see attached). Mr. Cox stated he would relay the information to Ms. Cordero.

Upon further research of Staff, it was determined that the property is not "legal nonconforming" in the G-O Zone; but is noncompliant.

Home occupation businesses are allowed in "Residential" zones per Murray City Code Section 17.24.030.C

Ms. Sonia Cordero is now appealing the decision of Staff. Appellants have the burden of proving that Staff erred.

This appeal should be denied. First, appellants have failed to allege with specificity any error in the decision or determination made by the Planning Staff. Second, even if the allegations were made with appropriate specificity, appellants cannot show that the decision of the Planning Staff was arbitrary and capricious, or illegal.

II. RECORD

a. The following documents constitute the record and are attached to this brief.

i. Attachment "A" – Appellants application and written appeal.
ii. Attachment "B" – Email to Fred Cox Email to Fred Cox dated June 28, 2023, from Susan Nixon, Senior Planner in response to a conversation held earlier that day relaying the determination of the status of the subject property. A letter from Susan Nixon, dated August 4, 2023, regarding status of the appeal "Application Incomplete" requesting additional information.
iii. Attachment "C" – Letter from Murray City Attorney's office dated August 22, 2023 to Sonia Cordero.
iv. Attachment "D" – Exhibits including: Copy of the G-O Zone, Section 17.144; copy of Home Occupation, Section 17.24; Notes from staff's file "20 E Winchester Street"; Recorded Plat of "Winchester Corner" Subdivision; Salt Lake County Recorders parcel ownership data; State of Utah Business Name Registration for Air Plus Properties, LLC; Trust Deed for Air Plus Properties

III. LEGAL STANDARDS

State statutes, city ordinances and case law are very specific as to the process and standard of review related to land use appeals.

A. APPEAL MUST ALLEGE ERROR WITH SPECIFICITY

A written appeal "must *concisely explain* the appellants standing to appeal; and *identifies alleged error* in the administration or interpretation of the city's land use ordinances that is grounds for the appeal, and provides reasons the appellant claims the applicable decision made by the [planning staff] in the administration or interpretation of the city's land use ordinances was made in error. Murray City Municipal Code (MCMC) 17.16.030.C.3 (emphasis added).

That concisely means that appellants must provide enough information that the City as appellee can plainly understand the error in applying or interpreting the ordinances allegedly made by the Planning Staff. This burden "cannot be satisfied by purely conclusory allegations or by a Micawberish reading of a party's generalized averments ..... The [appellants] must set forth reasonably definite factual allegations ..... regarding each material element." Pohl, Inc. of Am. V. Webelhuth, 2008 UT 89 (citing United States v. AVX Corp., 962 F.2d 108 (1st Cir. 1992)). In a strict reading of MCMC 17.16.030.C.3 and Utah Code Annotated (UCA) §10-9a- 703(1), if an appellant fails to allege that there is an error in the planning staff's administration or interpretation of the land use ordinance, there is no valid basis for continuing to hear the appeal, and the appeal should be denied.

B. APPEALS ARE LIMITED TO THE RECORD

Appeals of land use decisions are limited to the record. *See* MCMC 17.16.040A. *See also* UCA 10-9a-707. This means that the only evidence to be considered is what is in the official record, including the notes from staff, notes from oral communications, written communications, the written land use decision, emails or other documents submitted *prior to* or *at* the time of the planning staff decision.

While the hearing officer can hear arguments about what is in the record, new evidence may not be presented. It would be improper for a hearing officer to make a ruling based on evidence the planning staff had no opportunity to consider. The hearing officer is to review the record but should not make their own determination about what the planning staff could or should have done. "The [appeal authority] considers all of the evidence in the record but does not weigh the evidence anew or substitute its judgment for that of the [planning staff]." LJ Mascaro Inc. v. Herriman City, 2018 UT App 127.

Instead the hearing officer must, based upon the information in the record, determine whether the decision of the Planning Staff was arbitrary and capricious, or illegal. Again, the burden of proof is on the appellants to prove the Planning Staff erred. *See* MCMC 17.16.030.c3. that concisely: (a) explains the appellant's standing to appeal; (b) identifies the alleged error in the administration or interpretation of the city's land use ordinances that is grounds for the appeal; and (c) provides reasons the appellant claims the applicable decision was made in error and "A Land use decision is arbitrary and capricious if the land use decision is not support by substantial evidence in the record and is contrary to law." UCA §10-9a-801(3)(c)(ii).

C. SUBSTANTIAL EVIDENCE

"A decision is arbitrary and capricious when it is not supported by substantial evidence in

the record." LJ Mascaro. State code requires that there be "substantial evidence for each essential finding of fact." UCA §10-9a-707(3) (emphasis added). Substantial evidence is "that quantum and quality of relevant evidence that is adequate to convince a reasonable mind to support a conclusion." Bradley v. Payson City Corp, 2003 UT 16. Substantial evidence only requires enough evidence for a reasonable person using it to support a conclusion, whether or not other reasonable persons would disagree. At its most basic, "the statutory phrase 'substantial evidence' is a 'term of art' which includes within its meaning the requirement 'that localities must provide reasons' when they make adjudicative determinations." McElhaney v. City of Moab, 2017 UT 65.

D. HOME OCCUPATION LICENSING AND PROPERTY RIGHTS

Murray City Municipal Code Section 17.24.030.C states: C. *"The owner of a minor home occupation may request a home occupation business license from the City. If the owner of a minor home occupation requests a business license, the applicant shall be subject to all regulations outlined in this chapter and title 5 of this code, and shall pay the license fees outlined in section 5.08.010 of this code."* Additionally, "*Except as otherwise provided in this title, the Community and Economic Development Department is authorized to approve home occupation applications in accordance with this title."* (Section 17.24.040.O).

Utah courts have been "mindful of Utah's long-standing principle that because zoning ordinances are in derogation of a property owner's common-law right to unrestricted use of his or her property, provisions therein restricting property uses should be strictly construed, and provisions permitting property uses should be liberally construed in favor of the property owner." Patterson v. Utah County Board of Adjustment, 893 P.2d 602, 606 (Utah Ct. App. 1995) (internal citations omitted).

IV. ARGUMENT

A. Appellants Fail to Allege an Error with Specificity

The appellant asserts that she "can't have a home-based business and is not allowed in the zone (G-O), as it is optional under State law, 10-1-203, items 7 and 8". The appellant also states that having a home-based business is optional under state law. This statement is not accurate.
State Code 10-1-203(2) code allows a municipality to require a business license: "*The legislative body of a municipality may license for the purpose of regulation any business within the limits of the municipality, may regulate that business by ordinance, and may impose fees on businesses to recover the municipality's costs of regulation.*

State Code 10-1-203(5) allows a municipality to impose business license fees:
Before the legislative body of a municipality imposes a license fee on a business that causes disproportionate costs of municipal services under Subsection (5)(a)(i)(C)(I), the legislative body of the municipality shall adopt an ordinance defining for purposes of the tax.

> The appellant does not actually allege specifically, an "error in any order, requirement, decision or determination made by the [planning staff] in the administration or interpretation of the land use ordinance." UCA §10-9a-703(1).

None of the appellants' statements allege that the Planning Staff erred in applying the land use ordinances of the City. The appellant is plainly opposed to the decision that a home occupation business is not allowed in the G-O Zone since she purchased the property with that intent prior to checking with the city to see if that was even possible. It wasn't until after Ms. Cordero purchased the property and came to the city to apply for a business license that she was informed of the city's regulations. Appellants, without putting forth expertise, evidence or even an allegation of error, simply want the City to allow a home occupation business in a zone where it is prohibited and to not charge a business license when a minor home occupation business license is requested.

Because the appellant has failed to make any specific allegation as to the error purportedly made by the Planning Staff in the administration or interpretation of the land use ordinance under which they approved, this appeal should be summarily denied.

B. **Evidence Must be Limited to the Record**

Land use appeals are a review of the record to determine whether the Planning Staffs decision was arbitrary and capricious, or illegal. Appeals are not an opportunity to submit new evidence or complaints for a different decision maker to review. The appellant was notified approximately in April of 2022, when she came into the Planning/Zoning and Business License office to obtain a business license for her accounting business in her home. At that time she was informed by Staff (Susan Nixon) who had an extensive conversation with her at the front counter informing her that she could not have a business operation or home occupation business at that location because it is a single-family dwelling in the G-O Zone. She was shocked and upset with the news. There has been at least one similar subsequent conversation between Ms. Cordero with Zachary Smallwood informing her similarly. Ms. Cordero purchased the property on April 6, 2022, under her business "AIR PLUS PROPERTIES, LLC" and secured the property with a commercial loan <u>without having first checked with the city for land use verification. It wasn't until after Ms. Cordero purchased the property that she came to the city wanting to obtain a business license for her accounting business (see attached file notes from Staff.</u>

On June 29, 2023, Fred Cox, architect, came to the Planning Office inquiring about having an attached business to the single-family dwelling and had drawn up 4-5 sketches of various scenarios with an office attached and detached on the same property at 20 East Winchester Street. He showed staff a copy of the home occupation business license issued the prior week. Staff informed Mr. Cox that the business license must have been issued in error. In discussions with the Business License specialist, it was discovered that Ms. Cordero had mailed in a home occupation business license application. The business license staff did not realize the property was in the G-O zone and was not eligible for a home occupation business license and issued a license in error. That license was subsequently revoked (see attached letter dated July 21, 2023).
During the conversation on June 29th, Mr. Cox indicated he was basing his sketched plans on the

section of the code 17.144.020, General Office, "Permitted Uses: 1113 – Single Family dwelling, attached to nonresidential."

C. **Decision of the Planning Staff was not Arbitrary or Capricious, or Illegal**

1. The Decision of the Planning Staff is Supported by Substantial Evidence.

The burden of proof is upon appellants to show that there was not substantial evidence in the record for the Planning Staff to deny a home occupation business license. The appellants is unable to meet this burden. Rather, the record shows that the Planning Staff relied on the substantial evidence in the record to make this decision.

> Specifically, under MCMC section 17.24.030.C states: "*The owner of a minor home occupation may request a home occupation business license from the City. If the owner of a minor home occupation requests a business license, the applicant shall be subject to all regulations outlined in this chapter and title 5 of this code, and shall pay the license fees outlined in section 5.08.010 of this code." Business License Code Section 05.08.010 states: The fee schedule or home occupation businesses is $100.*
>
> A. That the proposed use of the particular location is allowed as an accessory use in residential districts which are compatible with, and not detrimental to, the neighborhood in which they are located. Per Section 17.24.010, Purpose.
> B. Home occupation business uses must be clearly incidental and secondary to the residential use of the dwelling and may not change the residential character of the dwelling, are limited to those uses which may be conducted within a residential dwelling without changing the appearance or condition of that residence. Per Section 17.24.040.E
> C. The Purpose of the G-O Zone (General Office) is to provide for a wide variety of general office uses in an attractive office environment. This zone is often used in buffer or transition areas separating commercial/industrial uses from residential areas. Increased emphasis is given to quality design, materials, landscaping, neighborhood compatibility, and off-street parking facilities. Per Section 17.144.010.
> D. With the city conceding to the allowance that (Lu#1113) a single-family dwelling attached to nonresidential is allowed in the G-O Zone, the applicant will be required to bring the dwelling into conformance with the addition of a nonresidential use (office use) to meet the G-O Zoning regulations as permitted in Section 17.144.020.B. (LU#1113) within a timely manner. It is suggested that a time period be given for this to occur.

The Planning Staff has substantiated relevant information and reports sufficient to enable Staff to render a proper decision based upon substantial evidence.

The record shows that the Planning Staff made its decision to not allow a home-based business license for the property at 20 East Winchester Street based upon substantial evidence, and in accordance with applicable city ordinances. The evidence upon which the Planning Staff

relied was of such a nature that it would be adequate to convince a reasonable mind to support the conclusion they made. Because substantial evidence exists to support each element required by City code, the appeal should be denied.

2. The Planning Staff Decision was not Illegal

A land use decision will only held to be illegal if it is based on an incorrect interpretation of a land use regulation or contrary to law. *See* UCA 10-9a-707(4)(a)&(b) Again, the appellant has the burden to prove a decision was illegal. They cannot meet this burden.

The Planning Staff, after reviewing the evidence, research, City and State Code, (a) determine the correctness of the land use authority's interpretation and application of the plain meaning of the land use regulations; (b) and interpret and apply a land use regulation to favor a land use application unless the land use regulation plainly restricts the land use application.

Accordingly, the Planning Staff acted in accordance with the law and based upon correct interpretations of land use ordinances. Appellant cannot show otherwise.

V. CONCLUSION

Appellant has failed to allege with specificity an error in any order, requirement, decision or determination made by the Planning Staff in the administration or interpretation of the city's land use ordinances. Thus, the appeal should be summarily denied. Alternatively, the appeal should be denied because the appellant fails to prove that the decision of the Planning Staff was arbitrary and capricious, or illegal.

Attachment C

From:	Susan Nixon
To:	Priscilla Kowalski
Subject:	20 E Winchester Str
Date:	Monday, July 17, 2023 4:18:00 PM
Attachments:	LU Appeal Application.pdf

From: Susan Nixon
Sent: Friday, June 30, 2023 8:53 AM
To: fred entelen.com <fred@entelen.com>
Subject: RE: City Hall Sign - Murray

Hi Fred,

Thanks for your follow-up email referencing LU #1113. I am not going to continue to debate the issue. I discussed the issue further with my Director after you left the office which is why I followed up with my email. You have the option to appeal our administrative decision that has been in practice for many years. I am attaching the appeal application if you choose to go that route.

To clarify home-occupation business licensing, they are allowed only within residential zones. With regard to the business license issued to SC Accounting, which was issued last week (6/23/23), it was issued in error. Over the past few months both myself and my colleague, Zac, have spoken with the property owner, Sonia Cordero, in person and advised her that she could not have a home occupation business in the G-O zone. Apparently, she mailed her application in, and it slipped through the cracks and was issued.

Below is the code regarding business license regulations.

17.24.010: PURPOSE:
The purpose of this chapter is to allow and regulate certain income producing accessory uses in residential districts which are compatible with, and not detrimental to, the neighborhood in which they are located. Home occupations are limited to those uses which may be conducted within a residential dwelling without changing the appearance or condition of that residence.
HOME OCCUPATION, GENERALLY: A business, occupation, profession, operation, managing or carrying on of a business for the purpose of economic gain, which activity is carried on as an accessory use in a residential zone by a bona fide resident of the dwelling. This definition shall not be construed to allow an employee, working in the employee's own home in the service of an employer who does not reside in the same dwelling.

Best regads,

Susan Nixon
801-270-2423
snixon@murray.utah.gov

From: fred entelen.com <fred@entelen.com>
Sent: Thursday, June 29, 2023 4:43 PM
To: Susan Nixon <snixon@murray.utah.gov>
Subject: Re: City Hall Sign - Murray

Susan,

Thank You for passing on the concern.

1113 specifically does say
"Single Family dwelling, attached (to a commercial, industrial or other nonresidential use. Dwelling unit can be under, over, in front, behind or beside nonresidential use in the structure.)"

If it was just for a care-taker situation, which it doesn't say, it would still apply as she would be living next to her office building, to take care of it, whether the office building is 5,000 SF or 500 SF. Since she is interested in building a smaller office building, attached, near term, which could take her from a nonconforming use to conforming, I would think that would be a good thing, and not something to block.

The standard land use code, which has been in place for decades and prior to her buying the property, has a note just afterwards. If it is not attached, it doesn't apply. It doesn't say anything else.

Fred C. Cox, AIA

Architect, Design Director

Entelen Design Build, LLC

8707 Sandy Parkway

Sandy, Utah 84070

801-989-9414 Mobile

801-542-8090 Ext. 109 Office

From: Susan Nixon <snixon@murray.utah.gov>
Sent: Thursday, June 29, 2023 3:27 PM
To: fred entelen.com <fred@entelen.com>
Subject: RE: City Hall Sign - Murray

Hi Fred,

Hey. I just spoke with our Director, Jared Hall, about the LU#1113 classification in the G-O Zone. Our interpretation is that this is for a care-taker situation and not your typical residence attached to a nonresidential use. So, long story short, this will not work for the property owner.
She will either need to remain a nonconforming residential use or go through a Change of Use converting the home into an office situation which you know is extensive.

17.144.020: PERMITTED USES:

A. All uses and structures contained herein are listed by number as designated in the standard land use code published and maintained by the planning department.

B. The following uses are permitted in the G-O zone:

Use No.	Use Classification
1113	Single-family dwelling, attached to nonresidential.

Thanks,

Susan Nixon
801-270-2423
snixon@murray.utah.gov

MURRAY CITY CORPORATION
COMMUNITY & ECONOMIC DEVELOPMENT

Planning Division 801-270-2430

APPLICATION INCOMPLETE

August 4, 2023

S C Accounting Tax Services, LLC
Attn: Sonia Cordero
20 East Winchester Street
Murray, UT 84107

RE: Incomplete Appeal Application

Dear Ms. Cordero:

We received your Appeal of a Land Use form and check #0009 in the amount of $100.00, which we are returning because it is incomplete. To complete the appeal application, per Municipal Land Use Code Section 17.16.030(C)(3): in addition to the application form filled out we need:

- A written statement, no more than five (5) pages with one-inch (1") margins, single-spaced, that concisely: (a) explains the appellant's standing to appeal; (b) identifies the alleged error in the administration or interpretation of the city's land use ordinances that is grounds for the appeal; and (c) provides reasons the appellant claims the applicable decision was made in error.
- The application must be signed and dated on the bottom line as indicated "Authorized Signature" and "Date".

The time frame to Appeal a Staff Determination is ten (10) calendar days from the date you receive this letter. Upon receipt of a completed appeal application, the matter shall be placed on the next available hearing officer agenda for which the item may be reasonably scheduled. The hearing officer shall proceed to take all steps necessary to review and hear the appeal at a public meeting. The hearing officer shall respect the due process rights of each of the participants.

I am including the Appeal of Land Use Decision application for your convenience and reference.

Sincerely,

Susan Nixon, Senior Planner
Murray City Planning Division
10 West 4800 South Murray, Utah 84107
Phone: (801) 270-2430

CC: Fred Cox via email to fred@entelen.com

Attachment D

MURRAY CITY CORPORATION
COMMUNITY & ECONOMIC DEVELOPMENT

Building Division 801-270-2400
Planning Division 801-270-2420

August 22, 2023

S C Accounting Tax Services, LLC
Attn: Sonia Cordero
20 East Winchester Street
Murray, Utah 84107

Re: Property located at 20 East Winchester Street
Parcel ID: 22-19-152-009

Dear Ms. Cordero,

This letter is to provide a status update to the discussions we have had regarding the property at 20 East Winchester Street (the "Property").

History

20 East Winchester is currently zoned as G-O (General Office). In March of 2015, it was zoned to G-O from its prior designation as R-1-8 (Residential Single Family). The Property was approved for a commercial subdivision on September 17, 2020. At this time, the residential use should have ceased. You subsequently purchased the Property in 2022.

On June 28, 2023, Mr. Cox met with Community and Economic Development staff to discuss the possibility of adding a business office to the residential dwelling, in order to come under Land Use No. 1113, which would allow a "single-family dwelling, attached to [a] nonresidential" structure. Mr. Cox was informed by the City on June 29, 2023 that the City disagreed with Mr. Cox's interpretation of Land Use No. 1113.

Noncompliance of Property

The Property is noncompliant, rather than nonconforming. See City Code chapter 17.52. The previous owners applied for a commercial subdivision. Before that plat was filed, the residence should have either been removed or the use changed to a nonresidential use, so as to comply with the G-O zone. Because of the zone change and the filing of the commercial subdivision plat, the residential use effectively should have ceased; it is no longer merely a nonconforming use – it is noncompliant. The residential use, on its own, is not allowed in the G-O zone.

Whether noncompliant or nonconforming, the Property could be brought into compliance by abandoning the noncompliant uses and by meeting all the requirements under the current zone. As suggested by Mr. Cox, under Land Use No. 1113 an attached nonresidential office would resolve the issue.

Absent the above addition, the Property remains noncompliant. It cannot have a home occupation business license issued. Home occupation licenses are intended for use in residential zones as other zones, such as G-O, already allow for the operation of businesses. Even if the City's home occupation ordinance allowed for home occupation businesses to be run in residences outside of a residential zone, the property is noncompliant and should not be a residence; thus no home occupation business license can be issued.

Further, the residence is nonconforming. Even if it wasn't noncompliant, the fact that it is nonconforming prevents the City from allowing a business, including a home based business, at the Property. In order to put in a business, which is an expansion of use under City Code chapter 17.52, the Property would need to be brought up to code. The way to bring a legal nonconforming residence up to code in the G-O zone would be to remove the residential use.

I hope this helps to clarify the City's position on these issues. The City agrees with you regarding application of Land Use No. 1113 in the G-O zone. The City disagrees with you regarding the license for a home occupation business.

Sincerely,

Phil Markham, Director
Community and Economic Development

CC:
G.L. Critchfield, City Attorney
Fred Cox, AIA
Entelen Design Build, LLC
8707 Sandy Parkway
Sandy, Utah 84070

MURRAY CITY CORPORATION
COMMUNITY & ECONOMIC DEVELOPMENT

Building Division 801-270-2400
Planning Division 801-270-2420

SC Accounting & Tax Services LLC
20 E Winchester Street
Murray, UT 84107

July 21, 2023

Subject: Business License Issued in Error and Refund Process

Dear Sonia Cordero,

I hope this letter finds you well. I am writing to inform you of an administrative error that has occurred regarding the business license we issued to your company, SC Accounting & Tax Service L.L.C. I regret to inform you that the license #20707, issued on 6/22/2023, is not valid. Unfortunately, the location of your residence in the General Office Zone does not meet the land use ordinance section 17.24.020: Definitions; HOME OCCUPATION, GENERALLY: A business, occupation, profession, operation, managing or carrying on of a business for the purpose of economic gain, which activity is carried on as an accessory use *in a residential zone* by a bona fide resident of the dwelling. This definition shall not be construed to allow an employee, working in the employee's own home in the service of an employer who does not reside in the same dwelling.

Considering this situation, we will be taking the necessary steps to rectify the error by promptly canceling the business license that was issued in error and updating our records accordingly. You are requested to discontinue the use of the license and cease business operations at 20 E Winchester Street, at this time.

Furthermore, we understand that you have made a payment associated with the business license application. We apologize for any inconvenience caused, and we would like to assure you that a full refund will be issued to you in the amount of $100.00.

We sincerely apologize for any disruptions this may have caused to your business plans. If you have any questions or require further information, please do not hesitate to contact Murray City Business Licensing.

Once again, we sincerely apologize for any inconvenience caused, and we appreciate your understanding and cooperation in this matter.

Yours sincerely,

Priscilla Kowalski
Business License Specialist
801-270-2449
10 East 4800 South
Murray, Utah 84107

P. Kowalski

Murray City Corporation
10 East 4800 South Suite 260, Murray, UT 84107

BUSINESS LICENSE

THIS LICENSE EXPIRES 05/31/2024

SC Accounting &Tax Services L.L.C.
20 E Winchester St
Murray, UT 84107

BUSINESS ID #: 20707

This certifies that the person or entity named herein is authorized to conduct business as:

Tax Return Prep Services at: 20 E Winchester St

Date Issued: 06/22/2023

Online Bookkeeping &Tax Prep.
No Accounting Services
No Employees Visit The Home
No Customers Visit The Home
Opt-In Home Occupation

By _____
Mayor

By _____
City Recorder

This license is not transferable and is only valid for the location and the ownership as listed on this license.

Please detach the license above and post in a conspicuous place
Retain Bottom Portion for Receipt

BUSINESS LICENSE **EXPIRES 05/31/2024**	Murray City Corporation 10 East 4800 South Murray, Utah 84107 (801) 270-2420	BUSINESS ID#: 20707

Business Name: SC Accounting &Tax Services L.L.C.
Business Address: 20 E Winchester St
City, State, Zip: Murray, UT 84107

This certifies that the person or entity named herein is authorized to conduct business as: Tax Return Prep Services

Licenses are valid only for the location and the ownership as listed on this license. Any changes will need to be reported to the Business Licensing Office. If the business no longer conducts business within Murray City, please notify our offices in writing.

Responsibility of renewal is total responsibility of the Licensee. Failure to receive notice does not excuse this responsibility.

Total Received: $100.00

Attachment E

CHAPTER 17.144

GENERAL OFFICE DISTRICT G-O

SECTION:

17.144.010: Purpose

17.144.020: Permitted Uses

17.144.030: Conditional Uses

17.144.040: Planning Commission Approval Required

17.144.050: Area And Coverage Regulations

17.144.060: Side Yard Regulations

17.144.070: Front Yard Regulations

17.144.080: Rear Yard Regulations

17.144.090: Lot Width Regulations

17.144.100: Height Regulations

17.144.110: Refuse Container Enclosed

17.144.120: Parking Regulations

17.144.130: Landscaping Regulations

17.144.140: Fencing Regulations

17.144.010: PURPOSE:
To provide for a wide variety of general office uses in an attractive office environment. This zone is often used in buffer or transition areas separating commercial/industrial uses from residential areas. Increased emphasis is given to quality design, materials, landscaping, neighborhood compatibility, and off street parking facilities. (Ord. 07-30 § 2)

17.144.020: PERMITTED USES:
A. All uses and structures contained herein are listed by number as designated in the standard land use code published and maintained by the planning department.

B. The following uses are permitted in the G-O zone:

Use No.	Use Classification
Use No.	**Use Classification**
1113	Single-family dwelling, attached to nonresidential.
2834	Radiopharmaceutical manufacturing, preparations, meaning an entity that is engaged in manufacturing, preparing, propagating, compounding, practice of pharmacy, processing, packaging, repackaging, or labeling or pharmaceutical drugs containing radioactive isotopes.
4800	Utilities (lines and rights of way only) (except 4850).
5912	Prescriptions pharmacy (intended for the convenience of permitted, established uses and/or clients thereof, provided that no such business occupies more than 15 percent of the total floor area of the building in which it is located and has no separate street entrance).
5913	Medical cannabis pharmacy.
5996	Optical shops (intended for the convenience of permitted, established uses and/or clients thereof; provided, that no such business occupies more than 15 percent of the total floor area of the building in which it is located and has no separate street entrance).
6100	Finance, insurance, and real estate services (except 6112, 6123, 6124, 6141 - surety bail bonding only).
6221	Portrait photography.
6222	Commercial photography.
6230	Beauty and barber services.
6254	Shoe repair services.

6255	Shoeshine stands.
6296	Massage therapy (massage therapy only).
6297	Reiki, spiritual healing art.
6299	Life coaching, consulting.
6311	Advertising services (office only).
6316	Direct mail advertising (office only).
6319	Other advertising services NEC (office only).
6320	Consumer credit services.
6330	Duplicating, stenographic, and office services (except 6332).
6340	Dwelling, janitorial and other building services (office only) (except 6344, 6345).
6350	News syndicate services (office only).
6360	Employment services.
6390	Business services (office only).
6500	Professional services (office only) (except 6513, 6516).
6600	General contract construction (office only).
6700	Governmental services (except 6714, 6740, 6750, 6770).
6814	Charter school.
6830	Special training and schooling (except 6833, 6836 - classroom only).
6900	Miscellaneous service organizations (office only).

C. Accessory buildings which are customarily used in conjunction with and are incidental to the principal uses and structures allowed in the G-O zone. Accessory buildings and structures may be located in side and rear yard areas provided:

1. They must be located at least one foot (1') from all property lines;
2. Runoff drainage may not be directed onto adjacent property;
3. They are prohibited in a front yard area;
4. They must be located ten (10) or more feet from a dwelling on an adjacent lot;
5. On a corner lot, the accessory building must maintain a minimum twenty foot (20') setback;
6. Illumination shall be directed down and away from adjoining residences; and
7. If adjacent to a residential zoning district accessory buildings must maintain the ten foot (10') setback from required buffer landscaping.

(Ord. 22-17: Ord. 21-31: Ord. 19-37 § 4: Ord. 13-01: Ord. 07-40 § 3: Ord. 07-30 § 2)

17.144.030: CONDITIONAL USES:
The following uses and structures are permitted in the G-O zone only after a conditional use permit has been approved by the planning commission and subject to the terms and conditions thereof:

Use No.	Use Classification
Use No.	**Use Classification**
1210	Bed and breakfast homestay and inn, rooming and boarding houses (subject to meeting the area, height and yard requirements of the R-M-15 zone).
1241	Retirement homes, independent living or congregate care (subject to meeting the area, height and yard requirements of the R-M-15 zone).
4700	Communications.
4800	Utilities (except lines and rights of way).
4923	Travel arranging services (travel agencies).
5811	Restaurants.
6213	Dry cleaning services.
6295	Body art and tattoo studios.
6495	Locksmiths (office only).
6499	Camera and musical instrument repair.
6516	Skilled nursing, convalescent and rest home facilities. (Does not include asylums.)

6516.1	Assisted living facilities.
6810	Nursery, primary, and secondary education.
6815	Commercial childcare center.
6820	University, college, junior college, and professional school education.

(Ord. 22-17: Ord. 16-41: Ord. 07-30 § 2)

17.144.040: PLANNING COMMISSION APPROVAL REQUIRED:
All structures constructed in this zone require a conditional use permit approved by the planning commission, except for accessory buildings and structures. (Ord. 07-30 § 2)

17.144.050: AREA AND COVERAGE REGULATIONS:
None, except as required by the planning commission for conditional use permit. (Ord. 07-30 § 2)

17.144.060: SIDE YARD REGULATIONS:
The minimum side yard for any office building shall be ten feet (10'). On corner lots, the side yard which faces on the street shall not be less than twenty feet (20'). When a side yard abuts a residential zoning district, the side yard setback shall be a minimum of twenty feet (20'). (Ord. 07-30 § 2)

17.144.070: FRONT YARD REGULATIONS:
The minimum depth of the front yard shall be twenty feet (20') from the property line or street right of way line. (Ord. 07-30 § 2)

17.144.080: REAR YARD REGULATIONS:
None, except for rear yards abutting a residential zoning district which shall require a minimum of twenty feet (20'). (Ord. 07-30 § 2)

17.144.090: LOT WIDTH REGULATIONS:
The minimum lot width for any lot shall be ninety feet (90'). (Ord. 07-30 § 2)

17.144.100: HEIGHT REGULATIONS:
A. Height: The height of a structure located within one hundred feet (100') of the nearest boundary of a residential zone district may not exceed thirty feet (30'). Beyond one hundred feet (100'), the building height may increase one foot (1') of height for each additional four feet (4') of setback from the residential zone district.

B. Measurement Of Distances:

1. For purposes of this section, the width of public or private roadways shall be included in computing setback distances. For example, if a roadway is located on the boundary of a residential zoning district, the measurements required under this section shall be made from the property line of that roadway which is nearest the residential use or zone. Otherwise, the measurement shall be made from the residential zoning district boundary.

2. Setback distances to structures located pursuant to this section shall be measured from the nearest residential zoning district boundary, except as otherwise provided in this section, to the nearest exterior wall of the structure.

C. Authority: Nothing in this section shall be construed to limit the authority of the planning commission to review building materials, design elements, and other aesthetic considerations as it deems proper to mitigate or modify the visual impact of the height of buildings upon surrounding land uses.

D. Decision Of Building Official: The city building official shall determine the height of a building under this section. That decision is deemed to be an administrative decision and may be appealed to the appeal authority as provided in this title. (Ord. 14-10: Ord. 07-30 § 2)

17.144.110: REFUSE CONTAINER ENCLOSED:
Each refuse container area shall be totally enclosed with a six foot (6') solid barrier fence. (Ord. 07-30 § 2)

17.144.120: PARKING REGULATIONS:
A. All general office uses will be calculated at the ratio of four (4) off street parking stalls for each one thousand (1,000) square feet of net usable floor area or as determined by the planning commission.

B. All medical, dental, and related office uses will require one off street parking stall for each two hundred (200) square feet of net usable office area.

C. All other uses shall be calculated at the rate of one parking stall for each two hundred (200) square feet of net usable area. (Ord. 07-30 § 2)

17.144.130: LANDSCAPING REGULATIONS:
A. Ten feet (10') of landscaping shall be required along all frontage areas not occupied by drive accesses.

B. All landscaping must be sprinkled and planted with substantial live plant material for the purpose of buffering, screening and beautifying the site. At plant maturity the landscaping should represent, as a minimum standard, compatibility with surrounding developed properties and uses and must be permanently maintained by the owner or occupants.

C. Landscaping adjacent to a residential zoning boundary line will require a minimum landscaping buffer of ten feet (10') in width from the boundary line on the commercial side of the property excluding the fence, and curb wall if located adjacent to off street parking.

D. Landscaping adjacent to off street parking within the yard area will require a minimum landscaped area of five feet (5') providing it does not abut residential zoning. This requirement may be waived where the parking area is located in the rear or side yard and is not visible from the street.

E. Landscaping shall also be installed in all park strips to the same standards as other on site landscaping.

F. Landscaping must cover at least fifteen percent (15%) of the development site. (Ord. 07-30 § 2)

17.144.140: FENCING REGULATIONS:
Where the site abuts a residential zone, a six foot (6') high solid masonry wall shall be located on the property line. All fencing must comply with the city fence ordinance. (Ord. 07-30 § 2)

CHAPTER 17.24

HOME OCCUPATIONS

SECTION:

17.24.010: Purpose

17.24.020: Definitions

17.24.030: License/When Required

17.24.040: Regulations Generally

17.24.050: Major Home Occupations

17.24.060: Prohibited Uses

17.24.070: Application

17.24.010: PURPOSE:
The purpose of this chapter is to allow and regulate certain income producing accessory uses in residential districts which are compatible with, and not detrimental to, the neighborhood in which they are located. Home occupations are limited to those uses which may be conducted within a residential dwelling without changing the appearance or condition of that residence.

(Ord. 20-14: Ord. 13-12)

17.24.020: DEFINITIONS:
As used in this chapter:

ABUTTING: Bordering or touching, such as sharing a common lot or property line.

ADJACENT: Sharing a common property line or separated by a road right of way, drainage easement, or alley.

HOME OCCUPATION, GENERALLY: A business, occupation, profession, operation, managing or carrying on of a business for the purpose of economic gain, which activity is carried on as an accessory use in a residential zone by a bona fide resident of the dwelling. This definition shall not be construed to allow an employee, working in the employee's own home in the service of an employer who does not reside in the same dwelling.

MAJOR HOME OCCUPATION: A home occupation business where the combined off- site impact of the home occupation business and the primary residential use materially exceeds the off-site impact of the primary residential use alone.

MINOR HOME OCCUPATION: Any home occupation business not classified as a major home occupation.

(Ord. 20-14: Ord. 13-12)

17.24.030: LICENSE/WHEN REQUIRED:
A. A home occupation license shall be required to conduct a permitted major home occupation business in a residence located in a residential zone.

B. The City shall not require a license or charge fees to operate a minor home occupation business.

C. The owner of a minor home occupation may request a home occupation business license from the City. If the owner of a minor home occupation requests a business license, the applicant shall be subject to all regulations outlined in this chapter and title 5 of this code, and shall pay the license fees outlined in section 5.08.010 of this code.

(Ord. 20-14: Ord. 13-12)

17.24.040: REGULATIONS GENERALLY:
Major home occupation businesses are subject to the requirements of title 5 applicable to home occupation businesses. Both major and minor home occupations are accessory uses to the primary residential use, and are subject to the following regulations.

A. Business To Be Conducted Within Main Dwelling: The home occupation business use must be conducted entirely within the main dwelling, except that the outside yard areas may be used for group instruction, residential daycare facilities and group education uses.

B. Bona Fide Resident: The home occupation business may be conducted only by persons who are bona fide residents of the dwelling unit, and the dwelling unit must be established as the primary residence.

C. On-Site Employees: Up to one person not residing in the residence may work, volunteer or otherwise assist with the business on-site at the dwelling,. The owner of the business must reside in the residence. The planning commission may approve more than one non-resident employee if it finds (1) that the additional employee will not be employed as a driver of a work vehicle kept at the residence, and (2) that the employee's presence in the premises will not otherwise violate the intent of this chapter. Only one non-resident employee or volunteer, or such additional non-resident employees or volunteers

as approved by the planning commission through approval of a major home occupation, is allowed to work on-site per residence at any one time, regardless of the number of home occupation licenses held by persons residing in the residence.

D. Off-Site Employees: Any home occupation business licensed under this chapter may utilize persons to work, volunteers or assist with the business off-site. The off-site employee, volunteer or any other person assisting with the business shall not come to the home for purposes related to the home occupation business, nor shall they park at the home or on the street near the home.

E. Accessory Use On The Property: The business use must be clearly incidental and secondary to the residential use of the dwelling and may not change the residential character of the dwelling. No more than twenty five percent (25%) of the total main or upper floor area, or, in the alternative, no more than fifty percent (50%) of the total floor area of a basement, may be used to conduct a home occupation. Interior alterations to accommodate a home occupation are prohibited if the kitchen, the dining area, all bathrooms, the living room, or a majority of the bedrooms is eliminated. Signs related to the home occupation are prohibited unless otherwise provided in this title. Exterior alterations are prohibited if the alterations change the residential appearance of the dwelling. Home occupation businesses shall not involve the use of any accessory building or yard space for storage, sale, rental or display of supplies or inventory used in the home occupation.

F. Commodities And Display For Sale: Commodities may be produced on the premises in accordance with law. Sale of commodities from shelves or similar display on the premises is not allowed.

G. Group Instruction/Childcare: Group education, group instruction, childcare, and instruction of children, other than those residing in the dwelling, are allowed as a home occupation accessory use or as a conditional use only to the extent as allowed in this title.

H. Multiple Businesses At Residence: More than one home occupation business license per dwelling unit is allowed; provided, however, that the cumulative effect of such businesses shall not violate the provisions and the intent of this chapter. By way of illustration and not limitation, the conduct of multiple home occupations may not violate the prohibitions against excessive traffic, and the limit on the number of non-resident employees and motor vehicles allowed at a residence. Any or all of the home occupation licenses issued at a residence are subject to suspension or revocation if the cumulative effect of the conduct of those businesses violates this chapter.

I. Conformity With Safety Codes: Home occupation licensees shall comply with all State and local laws, including fire, building, and similar life safety and health codes.

J. Subject To Inspections: The premises of a home occupation may be inspected during reasonable business hours to determine compliance with the provisions of this title.

K. Term Of License: A home occupation business license shall be valid for twelve (12) months from the application date and may be renewed annually unless the license, or the privilege of renewing that license, has been revoked or suspended due to violations of this title or other laws applicable to the home occupation license. Home occupation business licenses are personal to the applicant, non-transferable and do not run with the land.

L. Vehicles: One business vehicle used by the licensee in connection with the home occupation may be parked at the premises, subject to the restrictions in this chapter. Other motor vehicles and equipment, and trailers used to transport the same, which are used in connection with the home occupation may not be stored or parked on the premises of the licensee or in any street adjacent to the licensed premises. Under no circumstances may motor vehicles having a gross vehicle weight rating of more than twelve thousand (12,000) pounds and which are used in connection with the home occupation be stored or parked on the premises of a home occupation or any street adjacent to those premises. By way of illustration and not limitation, this subsection is intended to prohibit the storage or parking of business fleet vehicles, such as limousines; service or work vehicles (snowplow/landscape maintenance trucks) and similar vehicles; delivery vehicles; and contractor's equipment and trailers used to transport the same. As provided in subsection B of this section, a non-resident employee may not be allowed to drive any business vehicle parked at the premises as permitted by this subsection as part of that employee's regular work assignment.

M. Trailers: Notwithstanding anything contrary in this chapter, one trailer may be used in association with the home occupation. Trailers allowed in conjunction with a home occupation business are as follows:

1. An open or enclosed trailer with a body length of twenty feet (20') or less, excluding the tongue.

2. Materials/equipment shall not be stored outside of the trailer.

3. The trailer may be placed in the side or rear yard behind a fence or garaged on private property and not within the front yard of any residential zone except on established driveways. A trailer must maintain a minimum setback of five feet (5') from the front property line so as to provide adequate visibility. If the home is located on a corner lot, the trailer shall not be stored on the street side of the house unless it is out of the required front yard setback. If the topography of the lot prohibits the parking of the trailer on the side, rear, or front yard, the trailer must be stored off-site.

4. The trailer must be well maintained and must not present negative impacts for adjacent neighbors including, but not limited to odors, dust, or parking location.

5. All areas utilized for the parking of trailers shall be paved with a hard surface, e.g., concrete, asphalt, brick or other water impenetrable surface. This includes the side, rear, and front yard of the home. It is prohibited to park upon areas that have been landscaped or are reserved for future landscaping.

6. A site plan shall be included with all business license applications indicating where the trailer will be stored.

N. Traffic: The traffic generated by a home occupation may not exceed that which would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street according to city regulations. All business-related vehicles which park at the location of the home occupation business, including on-site employees, customers, clients, or business-related visitor vehicles, must use off-street parking. This provision excludes stops made by delivery vehicles. The home occupation shall not involve the use of commercial vehicles having a gross vehicle weight rating of more than twelve thousand (12,000) pounds for delivery of materials to or from the premises.

O. Approval Authority: Except as otherwise provided in this title, the community and economic development department is authorized to approve home occupation applications in accordance with this title.

P. Neighborhood Disruptions Not Permitted: The home occupation business may not interfere or disrupt the peace, quiet, and domestic tranquility of the neighborhood. The home occupation business shall not create, be associated with, or produce noises or vibrations, noxious odors, fumes, glare, dust, heat, excessive traffic, interferences with radio and television reception or any other adverse effects that may be discernible beyond the premises.

Q. Storage Of Dangerous Materials: The storage or use of flammable, explosive, or other dangerous materials is prohibited.

(Ord. 20-14)

17.24.050: MAJOR HOME OCCUPATIONS:

A. The following home occupations, which either require a client to come to the home or which may result in neighborhood impacts if not properly managed, may be authorized as an accessory use through a major home occupation permit pursuant to the standards specified in this section:

Barbers, cosmetologists, manicurists.

Contractor, "handyperson," and landscape or yard maintenance contractor; subject to the special conditions that no construction materials or equipment will be stored on the premises.

Counseling, when clients come to the home.

Home instruction including musical instruments, voice, dance, acting and educational subjects, swimming, tennis and other athletic instruction.

Other similar personal or professional services where the client comes to the home, including, but not limited to:

1. Childcare;
2. Preschool;
3. Home instruction.

B. Uses classified as major home occupations must comply with the standards of section17.24.030 of this chapter, which shall be considered minimum standards. The Community and Economic Development Director or Planning Commission may require additional reasonable conditions to mitigate reasonably potential adverse impacts of the use on adjacent properties. These conditions may include, but are not limited to:

1. Limits on hours of operation;
2. Limits on numbers of clients per day/hour;
3. Provision of adequate off-street parking;
4. Other conditions reasonably related to mitigating adverse impacts resulting from the use.

(Ord. 20-14: Ord. 13-12)

17.24.060: PROHIBITED USES:

The following uses by the nature of the investment or operation have a pronounced tendency, once started, to rapidly increase beyond limits permitted for home occupations and thereby impair the use and value of a residentially zoned area for residence purposes. Therefore, the uses specified below shall not be permitted as home occupations regardless of their conformance with the other standards of this chapter:

Dental offices.

Electronics repair.

Limousine or taxi service.

Major appliance repair (washers, dryers, refrigerators, etc.).

Medical offices.

On site carpentry work including cabinetmaking or other similar uses which generate noise, dust or fumes.

Painting of vehicles.

Permanent yard sales.

Photo developing.

Photo studios.

Private schools.

Sexually oriented businesses.

Tattooing.

Trailer or boat repair.

Upholstering.

Vehicle repair.

Vehicle sales.

The listing of specific prohibited businesses in this section shall not be construed to allow or permit a home occupation business which otherwise violates this chapter.

(Ord. 13-12)

17.24.070: APPLICATION:

An application for a home occupation business license shall be filed with the City Business License Division, and shall include the following information:

A. A complete description of the type of business proposed including the location of the storage and operations area for the home occupation;

B. A listing of the individuals at the home who will be working on the business;

C. The expected hours of operation of the business;

D. The expected number of clients per hour and total expected number of clients visiting the home per day;

E. A site plan indicating areas of off-street parking for employees and clients;

F. Neighboring Property Owner Information: Names, signatures and addresses of all abutting and adjacent property owners, including property owners across the street(s);

G. Leased Property: Approval of the property management or property owner shall be required if the business is conducted on a leased property; and

H. Notice To Neighboring Property Owners: Signatures of approval of all abutting and adjacent property owners on a form provided by the community and economic development division.

1. If all of the required signatures cannot be obtained, the applicant may request the application be referred to the Planning Commission to be considered for approval subject to reasonable conditions related to mitigating reasonably potential adverse impacts.

2. If all the required signatures are obtained, the director or designee will approve, approve with conditions, or refer the application to the Planning Commission to be considered for approval subject to reasonable conditions related to mitigating reasonably potential adverse impacts.

3. Notification Of Decision: Within ten (10) working days of the director's decision, a letter shall be sent notifying the applicant of the decision required under subsection H2.

(Ord. 20-14: Ord. 13-12)

WINCHESTER CORNER

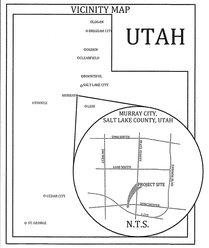
20 EAST WINCHESTER STREET, MURRAY CITY, SALT LAKE COUNTY, STATE OF UTAH 84107

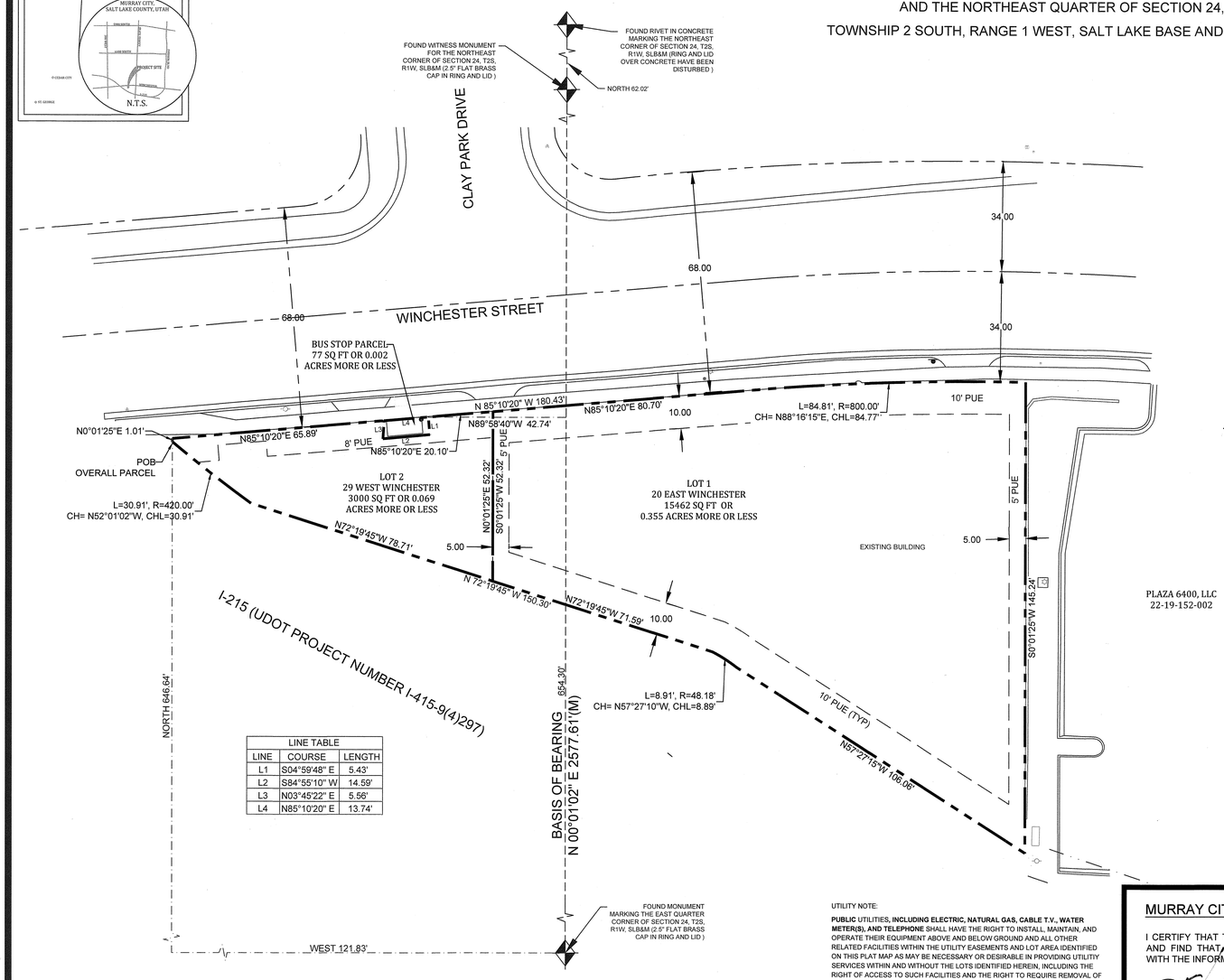
SITUATE IN THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 2 SOUTH, RANGE 1 EAST

AND THE NORTHEAST QUARTER OF SECTION 24,

TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN.

VICINITY MAP





LINE TABLE		
LINE	COURSE	LENGTH
L1	S04°59'48" E	5.43'
L2	S84°55'10" W	14.59'
L3	N03°45'22" E	5.56'
L4	N85°10'20" E	13.74'

20 0 20 40 60 80

SCALE: 1"=20'

LEGEND:

BOUNDARY LINE:
P.O.B. TIES:
P.U.E. LINES:
EXISTING FEATURES:
SECTION LINE:
SECTION CORNER:

NOTES:

1-PARCEL IS IN FLOOD ZONE 'X' AS PER FEMA MAP NUMBER 49035C0294G, EFFECTIVE ON SEPTEMBER 25, 2009.
2-NO NEW UTILITIES WILL BE INSTALLED AS A PART OF THIS SUBDIVISION.
3-UTILITY EASEMENT RECORDED MARCH 30, 1981 AS ENTRY NUMBER 3548663 IN BOOK 5230 AT PAGE 107 IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER IS VACATED WITH THE RECORDATION OF THIS PLAT. A NEW UTILITY EASEMENT WILL BE RECORDED SEPARATELY TO RE-ESTABLISH UTILITY EASEMENT IN LOCATION OF EXISTING FEATURES.
4-NO CORNERS WERE SET DURING THIS SURVEY. CORNERS WILL BE SET WITH A 5/8" REBAR AND CAP PRIOR TO ANY CONSTRUCTION.
5- POWER EASEMENT FROM NOTE 3 HAS BEEN VACATED AND RELOCATED BY DEED RECORDED AUGUST 27, 2021 AS ENTRY NUMBER: 13756318 IN BOOK 11229 AT PAGE 1653 IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER.

UTILITY NOTE:

PUBLIC UTILITIES, INCLUDING ELECTRIC, NATURAL GAS, CABLE T.V., WATER METER(S), AND TELEPHONE SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN, AND OPERATE THEIR EQUIPMENT ABOVE AND BELOW GROUND AND ALL OTHER RELATED FACILITIES WITHIN THE UTILITY EASEMENTS AND LOT AREA IDENTIFIED ON THIS PLAT MAP AS MAY BE NECESSARY OR DESIRABLE IN PROVIDING UTILITIY SERVICES WITHIN AND WITHOUT THE LOTS IDENTIFIED HEREIN, INCLUDING THE RIGHT OF ACCESS TO SUCH FACILITIES AND THE RIGHT TO REQUIRE REMOVAL OF ANY OBSTRUCTIONS INCLUDING STRUCTURES, TREES AND VEGETATION THAT MAY BE PLACED WITHIN THE EASEMENT. AT NO TIME MAY ANY PERMANENT STRUCTURES BE PLACED WITHIN THE EASEMENT OR ANY OTHER OBSTRUCTION WHICH INTERFERES WITH THE USE OF THE EASEMENT WITHOUT THE PRIOR WRITTEN APPROVAL OF THE UTILITIES WITH FACILITIES IN THE EASEMENTS.

CONTAINED WITHIN THE EASEMENTS AND LOT AREA ARE PRIVATE SANITARY SEWER, STORM SEWER AND WATER FACILITIES. THE INSTALLATION, OPERATION, MAINTENANCE, AND/OR REPLACEMENT OF PRIVATE SANITARY SEWER, STORM SEWER AND WATER FACILITIES SHALL BE THE SOLE RESPONSIBILITY OF THE OWNERS. SUCH FACILITIES ARE NOT OFFERED TO, NOR ARE THEY ACCEPTED FOR DEDICATION BY, MURRAY CITY.

SURVEYOR'S CERTIFICATE

I, MATTHEW C. STONES, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH, HOLDING LICENSE NUMBER: 7176711 DO HEREBY CERTIFY THAT THIS PLAT OF A PARCEL OF LAND SITUATE IN THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP2 SOUTH, RANGE 1 EAST, AND IN THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN HAS BEEN CORRECTLY DRAWN TO THE DESIGNATED SCALE, AND IS A TRUE AND CORRECT REPRESENTATION OF THE FOLLOWING DESCRIPTION OF LAND BASED UPON DATA COMPILED FROM RECORDS IN THE SALT LAKE COUNTY RECORDER'S AND SURVEYOR'S OFFICES AND AS SURVEYED ON THE GROUND.

DATE: 8-24-2020

MATT STONES
UT PLS #7176711

PROFESSIONAL LAND SURVEYOR — MATTHEW C. STONES — 7176711 — STATE OF UTAH — 09-23-21

NARRATIVE

THIS SUBDIVISION WAS DONE UNDER THE AUTHORITY OF CELL TOWER HOLDINGS, LLC (THE PROPERTY OWNERS). THE BASIS OF BEARING FOR THIS PLAT IS N 00°01'02" E BETWEEN THE EAST QUARTER CORNER OF SECTION 24 AND THE NORTHEAST CORNER OF SECTION 24, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN.

OVERALL PARCEL DESCRIPTION:

BEGINNING AT A POINT 121.83 FEET WEST AND 646.645 FEET NORTH FROM THE EAST QUARTER CORNER OF SECTION 24, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE NORTH 00°01'25" EAST 1.01 FEET, MORE OR LESS, TO THE SOUTHERLY RIGHT OF WAY LINE OF WINCHESTER STREET; THENCE ALONG SAID RIGHT OF WAY LINE NORTH 85°10'20" EAST 180.43 FEET, TO A POINT ON A 800.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE ALONG SAID CURVE 84.81 FEET (CHORD BEARS N88°16'15"E A DISTANCE OF 84.77 FEET); THENCE SOUTH 00°01'25" WEST 145.45 FEET, MORE OR LESS TO THE FREEWAY NO ACCESS LINE; THENCE ALONG SAID NO ACCESS LINE NORTH 57°27'15" WEST 106.06 FEET TO A POINT ON A 48.18 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 8.91 FEET (CHORD BEARS N57°27'10"W A DISTANCE OF 8.89 FEET); THENCE NORTH 72°19'45" WEST 150.30 FEET, TO A POINT ON A 420.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE ALONG SAID CURVE 30.91 FEET (CHORD BEARS N52°01'02"W A DISTANCE OF 30.91 FEET) TO THE POINT OF BEGINNING.
CONTAINING 18575 SQUARE FEET OR 0.426 ACRES, MORE OR LESS.

LESS AND EXCEPTING THAT PORTION DEEDED TO THE UTAH DEPARTMENT OF TRANSPORTATION IN THAT CERTAIN WARRANTY DEED, RECORDED JUNE 22, 2010 AS ENTRY NO. 10975461 IN BOOK 9834 AT PAGE 6739 OF OFFICIAL RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT ON THE SOUTH RIGHT OF WAY LINE OF WINCHESTER STREET, WHICH POINT IS NORTH 00°01'20" EAST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER OF SECTION 24, 654.30 FEET AND NORTH 89°58'40" WEST 42.74 FEET FROM THE EAST QUARTER CORNER OF SAID SECTION 24; AND RUNNING THENCE SOUTH 04°59'48" EAST 5.43 FEET; THENCE SOUTH 84°55'10" WEST 14.59 FEET TO A POINT ON AN EXISTING FENCE LINE; THENCE NORTH 03°45'22" EAST ALONG SAID FENCE LINE, 5.56 FEET TO SAID SOUTH RIGHT OF WAY LINE OF WINCHESTER STREET; THENCE NORTH 85°10'20" EAST ALONG SAID SOUTH RIGHT OF WAY LINE OF WINCHESTER STREET, 13.74 FEET TO THE POINT OF BEGINNING.

OWNER'S DEDICATION:

KNOWN ALL MEN BY THESE PRESENTS THAT I (WE), THE UNDERSIGNED OWNER(S) OF THE ABOVE DESCRIBED TRACT(S) OF LAND, HAVE CAUSED THE SAME TO BE SUBDIVIDED AS SHOWN ON THIS PLAT INTO LOTS, STREETS AND EASEMENTS TO BE HEREAFTER KNOWN AS:

WINCHESTER CORNER

AND DO HEREBY DEDICATE FOR THE PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE.

Kenneth Bell — Managing Member

IN WITNESS WHEREOF, I, STEPHEN MCPHIE THE MANAGING MEMBER OF CELL TOWER HOLDINGS, LLC, HAVE HEREUNTO SET MY HAND THIS 28th DAY OF September 2021

KENNETH BELL (MANAGING MEMBER) — STEPHEN MCPHIE (MANAGING MEMBER)

ACKNOWLEDGEMENT:

STATE OF UTAH }ss
COUNTY OF SALT LAKE }

ON THIS 28th DAY OF September, 2021, BEFORE ME Susan Nixon, A NOTARY PUBLIC, PERSONALLY APPEARED KENNETH BELL, A MANAGING MEMBER OF CELL TOWER HOLDINGS, LLC., PROVED ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS\ARE SUBSCRIBED TO IN THE FOREGOING OWNER'S DEDICATION AND CONSENT REGARDING WINCHESTER CORNER SUBDIVISION AND WAS SIGNED BY HIM\HER ON BEHALF OF SAID CELL TOWER HOLDINGS, LLC AND ACKNOWLEDGED THAT HE\SHE\THEY EXECUTED THE SAME.

MY COMMISSION EXPIRES: 5/9/2023 (DATE) COMMISSION NUMBER: 705250

NOTARY PUBLIC — Susan Nixon PRINT NAME

STATE OF UTAH }ss
COUNTY OF SALT LAKE }

ON THIS 28th DAY OF September, 2021, BEFORE ME Susan Nixon, A NOTARY PUBLIC, PERSONALLY APPEARED STEPHEN MCPHIE, A MANAGING MEMBER OF CELL TOWER HOLDINGS, LLC. PROVED ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS\ARE SUBSCRIBED TO IN THE FOREGOING OWNER'S DEDICATION AND CONSENT REGARDING WINCHESTER CORNER SUBDIVISION AND WAS SIGNED BY HIM\HER ON BEHALF OF SAID CELL TOWER HOLDINGS, LLC AND ACKNOWLEDGED THAT HE\SHE\THEY EXECUTED THE SAME.

MY COMMISSION EXPIRES: 5/9/2023 COMMISSION NUMBER: 705250

NOTARY PUBLIC — DATE: 5/9/2023

MY COMMISSION EXPIRES: — Susan Nixon NAME NOTARY PUBLIC COMMISSIONED IN UTAH

MURRAY CITY ENIGNEER:

I CERTIFY THAT THIS OFFICE HAD THIS PLAT EXAMINED AND FIND THAT IT IS CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE.

MURRAY CITY ENGINEER — 10-11-21 DATE

MURRAY CITY MAYOR:

PRESENTED TO MURRAY CITY THIS 13 DAY OF OCT, A.D., 20 21
AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

BY: MAYOR — 10/13/2021 DATE

ATTEST: CLERK — 10/13/2021 DATE

MURRAY CITY, STATE OF UTAH — CORPORATE SEAL

SALT LAKE COUNTY HEALTH DEPARTMENT:

APPROVED THIS 27 DAY OF September A.D. 20 21 BY SALT LAKE COUNTY HEALTH DEPARTMENT.

BY:

SALT LAKE COUNTY SURVEYOR:

RECORD OF SURVEY NUMBER: S2020100781

COUNTY SURVEYOR REVIEWER — DATE

MURRAY CITY WATER:

APPROVED THIS 5th DAY OF October A.D. 20 21 BY MURRAY CITY WATER.

BY:

EASEMENT APPROVAL:

DOMINION ENERGY — 9.17.21 DATE
COMCAST — 9-28-21 DATE
CENTURY LINK (QWEST) — 9-27-2021 DATE

MURRAY CITY GIS:

APPROVED THIS 15 DAY OF October A.D. 20 21 BY MURRAY CITY FIRE DEPARTMENT

BY:

MURRAY CITY FIRE DEPARTMENT:

APPROVED THIS 5th DAY OF October A.D. 20 21 BY MURRAY CITY FIRE DEPARTMENT

BY:

CITY PLANNING COMMISSION:

APPROVED THIS 7th DAY OF October A.D. 20 21 BY MURRAY CITY PLANNING COMMISSION.

BY:

MURRAY POWER:

APPROVED THIS 4th DAY OF OCTOBER A.D. 20 21 BY MURRAY CITY POWER.

BY:

MURRAY CITY SEWER:

APPROVED THIS 30 DAY OF September A.D. 20 21 BY MURRAY CITY SEWER.

BY:

APPROVAL AS TO FORM:

APPROVED AS TO FORM THIS 12TH DAY OF OCTOBER, A.D., 20 21.

MURRAY CITY ATTORNEY

OWNER: CELL TOWER HOLDINGS, LLC
2893 EAST COUNTY ROAD, SALT LAKE CITY, UTAH 84121
SURVEYOR: MATT STONES, PLS
842 SOUTH 1150 WEST, CLEARFIELD, UT. 84015
801-201-5699

WINCHESTER CORNER
MURRAY CITY, SALT LAKE COUNTY, STATE OF UTAH 84107
SITUATE IN THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 2 SOUTH, RANGE 1 EAST, AND THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN.

RECORDER INFORMATION

RECORD # 13804199

STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF CELLTOWER HOLDINGS LLC

DATE 10/21/2021 TIME 10:38 AM
IN BOOK 2021P PAGE 262
FEE $ 54.00

SALT LAKE COUNTY RECORDER — DEPUTY

22-19-11 22-19-152-006 $54.00 2021P-262

SALT LAKE COUNTY
RECORDER

Parcel Data And Documents
For Parcel Number • 22-19-152-009-0000

Active Parcel Number

Legal Description:
LOT 1, WINCHESTER CORNER.

Acreage:	City:	Address:
0.3550	MURRAY	20 E WINCHESTER ST

Land Value: **Bldg Value:** **Total Value:**

Owner of Records Found: 1

AIR PLUS PROPERTIES LLC

Total Documents Found: 2

Entry	Book	Page	Type	Date	First Party	Second Party	Consideration	Abstract	Plat
13927184	11325	7477	WD	4/6/2022	CELL TOWER HOLDINGS, LLC	AIR PLUS PROPERTIES LLC		✓	✓
13927231	11325	7818	TRD	4/6/2022	AIR PLUS PROPERTIES, L.L.C	MOUNTAIN AMERICA FEDERAL CREDIT UNION	325,500.00	✓	

AIR PLUS PROPERTIES, L.L.C.

Update this Business

Entity Number: 12687430-0160
Company Type: LLC - Domestic
Address: 20 EAST WINCHESTER STREET MURRAY, UT 84107
State of Origin:
Registered Agent: SONIA CORDERO
Registered Agent Address:
20 EAST WINCHESTER STREET
MURRAY, UT 84107

View Management Team

Status: Active

Purchase Certificate of Existence

Status: Active *as of 05/02/2023*
Renew By: 02/29/2024
Status Description: Current
The "Current" status represents that a renewal has been filed, within the most recent renewal period, with the Division of Corporations and Commercial Code.
Employment Verification: Not Registered with Verify Utah

History

View Filed Documents

Registration Date: 02/03/2022
Last Renewed: 05/02/2023

<< Back to Search Results

Business Name:

Give Feedback

Privacy - Terms

SALT LAKE COUNTY RECORDER

Parcel Data And Documents
For Parcel Number • 22-19-152-006-0000

The Parcel Number is Obsolete

Legal Description:

BEG N 89°51 53" W 122.1 FT & N 0°01 25" E 528.7 FT & S 83°43 35" E 176.14 FT & N 0°01 25" E 153.15 FT FR SW COR OF NW 1/4 SEC 19, T 2S, R 1E, SLM; N 85°09 29" E 4.64 FT; S LY ALG CURVE TO R 85.21 FT; S 0°01 14" W 141.97 FT TO FREEWAY; NW LY ALG SD FREEWAY 104.28 FT; N 0°01 25" E 85.71 FT TO BEG. ALSO BEG N 89°51 53" W 122.1 FT & N 0°01 25" E 647.77 FT FR E 1/4 COR SEC 24, T2S, R1W, SLM; N 85°09 29" E 175.73 FT; S 0°01 25" W 85.71 FT; NW LY ALG CURVE TO R 8.89 FT; N 72°19 45" W 150.3 FT; NW LY ALG CURVE TO R 30.91 FT; N 0°01 25" E 1.45 FT TO BEG. LESS & EXCEPT BEG N 0°01'20" E 654.30 FT & N 89°58'40" W 42.74 FT FR E 1/4 COR SEC 24, T2S, R1W, SLM; S 04°59'48" E 5.43 FT; S 84°55'10" W 14.59 FT; N 03°45'22" E 5.56 FT; N 85°10'20" E 13.74 FT M OR L TO BEG. 0.42 AC M OR L. 6347-0864 9834-6737 9834-6739 10282-2617

Acreage:	City:	Address:
0.4200		

Land Value:	Bldg Value:	Total Value:
87,200.00	212,600.00	299,800.00

Owner of Records Found: 1

CELL TOWER HOLDINGS LLC

Total Documents Found: 10

Entry	Book	Page	Type	Date	First Party	Second Party	Consideration	Abstract	Plat
11623270	10129	7699	MEMO	4/22/2013	VERIZON WIRELESS SHARP, SHIRLEY G TR	TO WHOM IT MAY CONCERN			
11962521	10282	2611	AFFID	12/16/2014	VERIZON WIRELESS LLC SHARP, KEN TR AMERICAN TOWER DELAWARE CORP SHARP, DENNIS TR	TO WHOM IT MAY CONCERN			
11962522	10282	2617	AFFID	12/16/2014	SHARP, DENNIS SHARP, RICHARD WILLIAM DECNT SHARP, SHIRLEY GATHERUM DECNT SHARP, SHIRLEY G DECNT SHARP, KENNETH JAMES SHARP, RICHARD W DECNT	TO WHOM IT MAY CONCERN			
11962523	10282	2627	WD	12/16/2014	SHARP, KENNETH JAMES TR SHARP, DENNIS RICHARD TR	BELL, KENNETH E TC MCPHIE, STEPHEN A TC			
11962524	10282	2629	ASSIGN	12/16/2014	BELL, KENNETH E MCPHIE, STEPHEN A SHARP, DENNIS RICHARD TR SHARP, KENNETH JAMES TR	TO WHOM IT MAY CONCERN			
12685609	10632	7784	QCD	12/22/2017	BELL, KENNETH E MCPHIE, STEPHEN A	CELL TOWER HOLDINGS LLC PINECONE PROPERTIES LLC		✓	✓
13608693	11143	1133	NT INT	3/24/2021	L.H. PERRY INVESTMENTS, LLC	TO WHOM IT MAY CONCERN		✓	
13699582	11195	8945	REL	6/24/2021	L.H. PERRY INVESTMENTS, LLC	TO WHOM IT MAY CONCERN		✓	
13756318	11229	1653	ABAND	8/27/2021	CELL TOWERS HOLDINGS, LLC	MURRAY CITY CORPORATION		✓	
13804199	11257	3099	PLAT	10/21/2021	CELLTOWER HOLDINGS LLC	TO WHOM IT MAY CONCERN		✓	✓

AIR PLUS PROPERTIES, L.L.C.

Update this Business

Entity Number: 12687430-0160
Company Type: LLC - Domestic
Address: 20 EAST WINCHESTER STREET MURRAY, UT 84107
State of Origin:
Registered Agent: SONIA CORDERO
Registered Agent Address:
20 EAST WINCHESTER STREET
MURRAY, UT 84107

View Management Team

Status: Active

Purchase Certificate of Existence

Status: Active *as of 05/02/2023*
Renew By: 02/29/2024
Status Description: Current
The "Current" status represents that a renewal has been filed, within the most recent renewal period, with the Division of Corporations and Commercial Code.
Employment Verification: Not Registered with Verify Utah

History

View Filed Documents

Registration Date: 02/03/2022
Last Renewed: 05/02/2023

<< Back to Search Results

Business Name:

Give Feedback

RECORDING REQUESTED BY AND WHEN RECORDED RETURN TO:

STEFF MCLANE – CRE Loan Closer
MOUNTAIN AMERICA FEDERAL CREDIT UNION
9800 South Monroe Street
Sandy, Utah 84070
Parcel ID No. 22-19-152-009

DEED OF TRUST, ASSIGNMENT OF LEASES AND RENTS, FIXTURE FILING, SECURITY AGREEMENT, AND FINANCING STATEMENT

Deed of Trust, Security Agreement, and Financing Statement ("Deed of Trust") made as of April 5, 2022, between and among **AIR PLUS PROPERTIES, L.LC.**, a Utah limited liability company, as trustor (individually, "Trustor"), **MOUNTAIN AMERICA FEDERAL CREDIT UNION**, a federal credit union as trustee ("Trustee"), and **MOUNTAIN AMERICA FEDERAL CREDIT UNION**, a federal credit union, as beneficiary (the "Beneficiary"). Trustor, Trustee, and Beneficiary are sometimes hereinafter referred to collectively as the "Parties" or, individually, as a "Party."

1. CONVEYANCE AND SECURED OBLIGATIONS.

1.1. Conveyance. For purposes of securing payment and performance of the Secured Obligations defined and described in Section 1.3 hereof, Trustor hereby irrevocably and unconditionally grants, transfers, conveys, warrants, and assigns to Trustee, in trust, with power of sale, for the benefit and security of Beneficiary, as beneficiary hereunder, subject to the terms and conditions of this Deed of Trust, all estate, right, title, and interest which Trustor now has or may later acquire in and to the following property (all or any part of such property, or any interest in all or any part of such property, as the context may require, is hereinafter referred to as the "Property"):

(a) that certain real property located in the County of Salt Lake, State of Utah, and more particularly described in Exhibit A attached hereto, together with all existing and future easements and rights affording access to such real property (the "Land");

(b) all buildings, structures, and improvements now located or later to be constructed on the Land (the "Improvements");

(c) all existing and future appurtenances, privileges, easements, franchises, and tenements of the Land, including all minerals, oil, gas, other hydrocarbons, and associated substances, sulfur, nitrogen, carbon dioxide, helium, and other commercially valuable substances which may be in, under, or produced from any part of the Land, all development rights and credits, air rights, water, water rights (whether riparian, appropriative, or otherwise, and whether or not appurtenant), and water stock, and any land lying in the streets, roads, or avenues, open or proposed, in front of or adjoining the Land and Improvements;

(d) all existing and future leases, subleases, subtenancies, licenses, occupancy agreements, and concessions (collectively, "Leases") relating to the use and enjoyment of all or any part of the Land and Improvements, and any and all guaranties and other agreements relating to or made in connection with any of such Leases, together with all rents, proceeds, issues, and profits arising therefrom or in any way associated therewith (collectively, "Rents");

(e) all goods, materials, supplies, chattels, furniture, fixtures, equipment, and machinery now or later to be attached to, placed in or on, or used in connection with the use, enjoyment, occupancy, or operation of, all or any part of the Land and Improvements, whether stored on the Land or elsewhere, including all pumping plants, engines, pipes, ditches, and flumes, and also all gas, electric, cooking, heating, cooling, air conditioning, lighting, refrigeration, and plumbing fixtures and equipment, all of which shall be considered to the fullest extent of the law to be real property for purposes of this Deed of Trust;

(f) all building materials, equipment, work in process, or other personal property of any kind, whether stored on the Land or elsewhere, which have been or later will be acquired for the purpose of being delivered to, incorporated into, or installed in or about the Land or the Improvements;

(g) all of Trustor's interest in and to loan funds, whether disbursed or not, and any of Trustor's funds now or later to be held by or on behalf of Beneficiary;

(h) all rights to the payment of money, accounts, accounts receivable, reserves, deferred payments, refunds, cost savings, payments, and deposits, whether now or later to be received from third parties (including all earnest money sales deposits) or deposited by Trustor with third parties (including all utility deposits), contract rights, development and use rights, governmental permits and licenses, applications, architectural and engineering plans, specifications and drawings, as-built drawings, chattel paper, instruments, documents, notes, drafts, and letters of credit (other than letters of credit in favor of Beneficiary), which arise from or relate to construction on the Land or to any business now or later to be conducted on the Land, or to the Land and Improvements generally;

13927231 B: 11325 P: 7818 Total Pages: 10
04/06/2022 09:58 AM By: asteffensen Fees: $40.00
TRD- TRUST DEED
Rashelle Hobbs, Recorder, Salt Lake County, Utah
Return To: TITLEONE - SECURED LAND TITLE
7090 S UNION PARK AVE STE 425MIDVALE, UT 840476044

(i) all proceeds, including all claims to and demands for such proceeds, of the voluntary or involuntary conversion of any of the Land, Improvements, or the other property described above into cash or liquidated claims, including proceeds of all present and future fire, hazard, or casualty insurance policies and all condemnation awards or payments now or later to be made by any public body or decree by any court of competent jurisdiction for any taking or in connection with any condemnation or eminent domain proceeding, and all causes of action and their proceeds for any damage or injury to the Land, Improvements, or the other property described above or any part of them, or breach of warranty in connection with the construction of the Improvements, including causes of action arising in tort, contract, fraud, or concealment of a material fact;

(j) all books and records pertaining to any and all of the property described above, including computer-readable memory and data, together with any computer hardware or software necessary to access and process such memory and data (collectively, "Books and Records");

(k) (i) all agreements heretofore or hereafter entered into relating to the construction, ownership, operation, management, leasing, or use of the Land or Improvements and any and all present and future amendments, modifications, supplements, and addenda to any of such items; (ii) any and all guarantees, warranties, and other undertakings (including payment and performance bonds) heretofore or hereafter entered into or delivered with respect to any of the items described in clause (i) above; (iii) all trade names, trademarks, logos, and other materials used to identify or advertise, or otherwise relating to the Land or Improvements; and (iv) all building permits, governmental permits, licenses, variances, conditional or special use permits, and other authorizations (collectively, "Permits") now or hereafter issued in connection with the construction, development, ownership, operation, management, leasing, or use of the Land or Improvements, to the fullest extent that the same or any interest therein may be legally assigned by Trustor; and

(l) all proceeds of, additions and accretions to, substitutions and replacements for, and changes in any of the property described above.

1.2 Assignment of Rents.

(a) Assignment. Trustor hereby irrevocably, presently, absolutely and unconditionally assigns and transfer to Beneficiary: (a) the Rents, whether now due, past due, or to become due, together with the right, power and authority to collect the same, (b) all leased by or through Trustor as lessor, written or oral, now in existence or hereafter arising, and any and all extensions or renewals thereof, together with the right, power and authority of Trustor to alter, modify, or change the terms thereof or surrender, cancel or terminate the same, and (c) any and all guarantees of any obligations of any lessee under each of the leases (a "Lessee"). The assignments in this section are absolute assignments and irrevocable from Trustor to Beneficiary and not merely the passing of security interests or assignments for security only.

(b) Grant of License. Beneficiary hereby confers upon Trustor a license ("License") to collect and retain the Rents as they become due and payable, and to administer the leases, so long as no Event of Default, as defined below, shall exist and be continuing. If an Event of default has occurred and is continuing, such License shall terminate without notice or demand upon Trustor, without regard to the adequacy of Beneficiary's security under this Deed of Trust.

(c) Collection and Application of Rents, Issues and Profits. Subject to the License granted to Trustor under the above section, Beneficiary has the right, power, and authority to collect any and all Rents and to administer the leases. Trustor hereby appoints Beneficiary its attorney-in-fact, couple with an interest, to, at such times as Beneficiary may choose in its sole discretion: (1) demand, receive and enforce payment of any and all Rents; (2) give receipts, releases and satisfactions for any and all Rents; or (3) sue either in the name of the Trustor and/or in the name of the Beneficiary for any and all Rents. Beneficiary's right to the Rents does not depend on whether or not Beneficiary takes possession of the Land and Improvements as permitted hereunder.

1.3 Secured Obligations. This Deed of Trust is made for the purpose of securing the following obligations (the "Secured Obligations") in any order of priority that Beneficiary may from time to time choose:

(a) Payment of all obligations at any time owing under a certain Non-Revolving Promissory Note (the "Note") of even date herewith, payable by Trustor as maker in the stated principal amount of Three Hundred Twenty-Five Thousand Five Hundred and 00/100 Dollars ($325,500.00) to the order of Beneficiary; which Note matures and is due and payable as set forth in the Note; and

(b) Payment and performance of all obligations of Trustor under this Deed of Trust; and

(c) Payment and performance of all future advances and other obligations that Trustor or any successor in ownership of all or part of the Property may agree to pay and/or perform (whether as principal, surety, or guarantor) for the benefit of Beneficiary, when a writing evidences the Parties' agreement that the advance or obligation is to be secured by this Deed of Trust; and

(d) Payment and performance of all modifications, amendments, extensions, and renewals, however evidenced, of any of the Secured Obligations.

All persons who may have or acquire an interest in all or any part of the Property will be considered to have notice of, and will be bound by, the terms of the Secured Obligations and each other agreement or instrument made or entered into in connection with each of the Secured Obligations.

The Note, a certain Loan and Security Agreement (the "Loan Agreement"), and certain other documents (collectively, the "Other Loan Documents") being executed and delivered in connection with the Note and the Loan Agreement evidence a certain loan (the "Loan") from Beneficiary to Trustor (the Note, the Loan Agreement, this Deed of Trust, and the Other Loan Documents are sometimes hereinafter referred to collectively as the "Loan Documents").

2. GRANT OF SECURITY INTEREST.

2.1 Security Agreement. The Parties acknowledge that some of the Property may be determined under applicable law to be personal property or fixtures. To the extent that any Property may be personal property, Trustor, as debtor, hereby grants Beneficiary, as secured party, a security interest in all such Property, to secure payment and performance of the Secured Obligations. This Deed of Trust constitutes a security agreement under the Uniform Commercial Code as in effect in the State of Utah (the "Code"), covering all such Property.

2.2 Financing Statements. If required by Beneficiary at any time or from time to time, Trustor shall execute one or more financing statements and such other documents which Beneficiary determines to be necessary or appropriate to perfect or continue the perfection of Beneficiary's security interest in any Property. Trustor shall pay all fees and costs that Beneficiary may incur in filing such documents in public offices and in obtaining such record searches as Beneficiary may reasonably require. In case Trustor fails to execute any financing statements or other documents for the perfection or continuation of any security interest, Trustor hereby appoints Beneficiary as Trustor's true and lawful attorney-in-fact to execute any such documents on Trustor's behalf.

2.3 Fixture Filing. This Deed of Trust constitutes a financing statement filed as a fixture filing under the Code, as amended or recodified from time to time, covering any of the Property which now is or later may become fixtures attached to the Land or the Improvements. The following addresses are the mailing addresses of Trustor, as debtor under the Code, and Beneficiary, as secured party under the Code, respectively:

Trustor: AIR PLUS PROPERTIES, L.L.C., 1121 South Redwood Road, Salt Lake City, UT 84104

Beneficiary: Mountain America Federal Credit Union, 9800 South Monroe Street, Sandy, Utah 84070

3. REPRESENTATIONS, COVENANTS AND AGREEMENTS.

3.1 Good Title. Trustor covenants that Trustor is lawfully seized of the Property, that the Property is unencumbered, and that Trustor has good right, full power, and lawful authority to convey, mortgage, and grant a deed of trust with respect to such Property, and that Trustor will warrant and forever defend the Property and the quiet and peaceful possession of the same against the lawful claims of all persons whomsoever.

3.2 Subrogation. Beneficiary shall be subrogated to the liens of all encumbrances, whether released of record or not, which are discharged in whole or in part by Beneficiary in accordance with this Deed of Trust or with the proceeds of the Loan or any other loan secured by this Deed of Trust.

3.3 Releases, Extensions, Modifications, and Additional Security. From time to time, Beneficiary may perform any of the following acts without incurring any liability or giving notice to any person: (i) release any person liable for payment of any of the Secured Obligations; (ii) extend the time for payment, or otherwise alter the terms of payment, of any of the Secured Obligations; (iii) accept additional real or personal property of any kind as security for any of the Secured Obligations, whether evidenced by deeds of trust, mortgages, security agreements, or any other instruments of security; (iv) alter, substitute, release, or partially release, any Property securing and of the Secured Obligations; (v) consent to the making of any plat or map of the Property or any part of it; (vi) join in granting any easement or creating any restriction affecting the Property; or (vii) join in any subordination or other agreement affecting this Deed of Trust.

3.4 Hazardous Materials. Trustor hereby represents and warrants that: (a) the Property and all of the collateral or other security (collectively, the "Collateral") for the Loan, are not now and have never been used to generate, manufacture, refine, transport, treat, store, handle, dispose, transfer, produce, process, or in any manner deal with "Hazardous Materials" (as such term is hereinafter defined), and that no Hazardous Materials have ever been installed, placed, or in any manner dealt with in connection with the Collateral or the Property, and (b) that no owner of the Collateral or the Property or any tenant, subtenant, occupant, prior tenant, prior subtenant, prior occupant, or person (collectively "Occupant") has received any notice or advise from any governmental agency or any Occupant with regard to Hazardous Materials on, from, or affecting the Collateral or the Property.

As used herein, the term "Hazardous Materials" shall include, without limitation, gasoline, petroleum products, explosives, radio-active materials, hazardous materials, hazardous wastes, hazardous or toxic substances, polychlorinated biphenyls, or related or similar materials, asbestos, or any material containing asbestos, or any other substance or material as may be defined as a hazardous or toxic substance by any federal, state, or local environmental law, ordinance, Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, the Superfund Amendment and Reauthorization Act, the Hazardous Materials Transportation Act, as amended, the

Resource Conservation and Recovery Act, as amended, the Federal Water Pollution Control Act, the Clean Air Act, and any other laws, rules, or regulations adopted and publications promulgated pursuant thereto.

Trustor covenants that the Collateral and the Property shall be kept free from and of Hazardous Materials, and shall not be used to generate, manufacture, refine, transport, treat, store, handle, dispose, transfer, produce, process, or in any manner deal with Hazardous Materials, and Trustor will not cause or permit, as a result of any intentional or unintentional act or omission on the part of Trustor or any Occupant, the installation or placement of Hazardous Materials in or on the Collateral or the Property or a release of Hazardous Materials onto or into the Collateral or the Property or onto or into any other property, or suffer the presence of Hazardous Materials on the Collateral or the Property. Trustor shall comply with, and ensure compliance by all Occupants with, all applicable federal, state, and local laws, ordinances, rules, or regulations with respect to Hazardous Materials, and shall keep the Collateral and the Property free and clear of any liens imposed pursuant to such laws, ordinances, rules, or regulations. In the event Trustor receives any notice or advise from any governmental agency or any Occupant with regard to Hazardous Materials on, from, or affecting the Collateral or the Property, Trustor shall immediately notify Beneficiary. Trustor shall thereafter conduct and complete all investigations, studies, sampling, and testing, and all remedial, removal, and other actions necessary to clean up and remove all Hazardous Materials on, from, or affecting the Collateral or the Property in accordance with all applicable federal, state, and local laws, ordinances, rules, regulations, and policies.

Trustor shall protect, indemnify, and save harmless Beneficiary from, against, and with respect to all liabilities, losses, obligations, claims, damages, penalties, causes of actions, costs, and expenses, including reasonable attorneys' fees, imposed upon or incurred by or asserted against Beneficiary and arising from any state of facts or circumstances existing prior to Beneficiary's acquiring title through foreclosure or deed-in-lieu of foreclosure or due to any action or inaction of Trustor by reason of: (a) ownership of the Collateral or the Property or any interest therein, (b) the presence, disposal, escape, seepage, leakage, spillage, discharge, emission, release, or threatened release of any Hazardous Materials on, from, or affecting the Collateral, the Property, or any other property, (c) any personal injury, including wrongful death or property damage arising out of or related to such Hazardous Materials, (d) any lawsuit brought or threatened, settlement reached, or government order relating to such Hazardous Materials, or (e) any violation of laws, orders, regulations, requirements, or demands which are based upon or in any way related to such Hazardous Materials.

The duties, obligations, and responsibilities of Trustor with respect to the foregoing representations, warranties, covenants, and indemnifications relating to Hazardous Materials shall survive any termination, satisfaction, assignment, judgment of foreclosure, foreclosure by private sale, or delivery of deed-in-lieu of foreclosure with respect to this Deed of Trust, the Loan Documents, or any of the Collateral or the Property.

4. DEFAULTS AND REMEDIES.

4.1 Default. Any breach, default, or Event of Default defined in the Note or any of the other Loan Documents executed in connection therewith, shall constitute a breach, default, and Event of Default hereunder, and any breach, default, or Event of Default hereunder shall constitute a breach, default, or Event of Default under the Note and all of the other Loan Documents. In addition, the following shall constitute a breach, default, and Event of Default hereunder, under the Note, and under all of the other Loan Documents:

(a) Failure in Timely Payment or Performance. Trustor fails in the timely payment or performance of any obligation, covenant, agreement, or liability created by or occurring under or in connection with, this Deed of Trust; or

(b) Transfer of the Property or a beneficial interest in Trustor. Except in connection with an assignment and assumption which is authorized pursuant to the terms of the Note, if all or any part of the Property, or any interest therein, is sold or transferred by Trustor, or if a beneficial interest in Trustor is sold or transferred and Trustor is not a natural person or persons but is a corporation, limited liability company, limited liability partnership, general partnership, limited partnership, trust, or other legal entity, without Beneficiary's prior written consent (including a transfer by devise, descent, or by operation of law upon death or otherwise), which consent may be withheld by Beneficiary in Beneficiary's sole discretion.

4.2 Remedies. At any time after the occurrence of a breach, default, or Event of Default, Beneficiary shall be entitled to invoke any and all of the rights and remedies described below, in addition to all other rights and remedies available to Beneficiary at law or in equity. All of such rights and remedies shall be cumulative, and the exercise of any one or more of them shall not constitute an election of remedies.

(a) Acceleration. Beneficiary may declare any or all of the Secured Obligations to be due and payable immediately.

(b) Receiver. Beneficiary shall, as a matter of right, without notice and without giving bond to Trustor or anyone claiming by, under or through Trustor, and without regard for the solvency or insolvency of Trustor or the then value of the Property, to the extent permitted by applicable law, be entitled to have a receiver

appointed for all or any part of the Property and the Rents, with the rights and powers referenced below and such other rights and powers as the court making such appointment shall confer, and Trustor hereby consents to the appointment of such receiver and shall not oppose any such appointment. Such receiver shall have all powers and duties prescribed by applicable law, all other powers which are necessary or usual in such cases for the protection, possession, control, management, and operation of the Property, and such rights and powers as Beneficiary would have upon entering and taking possession of the Property under subsection (c) below.

(c) Entry. In accordance with the requirements of applicable law, Beneficiary, in person, by agent, or by court-appointed receiver, may enter, take possession of, manage, and operate all or any part of the Property, and may also do any and all other things in connection with those actions that Beneficiary may in Beneficiary's sole discretion consider necessary and appropriate to protect the security of this Deed of Trust. Such other things may include: taking and possessing all of Trustor's or the then owner's Books and Records; entering into, enforcing, modifying, or canceling Leases on such terms and conditions as Beneficiary may consider proper; obtaining and evicting tenants; fixing or modifying Rents; collecting and receiving any payment of money owing to Trustor; completing any unfinished construction; and/or contracting for and making repairs and alterations. If Beneficiary so requests, Trustor shall assemble all of the Property that has been removed from the Land and make all of it available to Beneficiary at the site of the Land. Trustor hereby irrevocably constitutes and appoints Beneficiary as Trustor's attorney-in-fact to perform such acts and execute such documents as Beneficiary in Beneficiary's sole discretion may consider to be appropriate in connection with taking these measures, including endorsement of Trustor's name on any instruments.

(d) Cure; Protection of Security. Beneficiary may, but shall not be required to, cure any breach, default, or Event of Default of Trustor, and if Beneficiary chooses to do so in connection with any such cure, Beneficiary may also enter the Property and/or do any and all other things which Beneficiary may in its sole discretion consider necessary and appropriate to protect the security of this Deed of Trust. Such other things may include: appearing in and/or defending any action or proceeding which purports to affect the security of, or the rights or powers of Beneficiary under, this Deed of Trust; paying, purchasing, contesting, or compromising any encumbrance, charge, lien, or claim of lien which in Beneficiary's sole judgment is or may be senior in priority to this Deed of Trust, such judgment of Beneficiary to be conclusive as between the Parties; obtaining insurance and/or paying any premiums or charges for insurance; otherwise caring for and protecting any and all of the Property; and/or employing counsel, accountants, contractors, and other appropriate persons to assist Beneficiary. Beneficiary may take any of the actions permitted under this Section 4.2(d) either with or without giving notice to any person. Any amounts expended by Beneficiary under this Section 4.2(d) shall be secured by this Deed of Trust.

(e) Uniform Commercial Code Remedies. Beneficiary may exercise any or all of the rights and remedies granted to a secured party under the Code.

(f) Foreclosure; Lawsuits. Beneficiary shall have the right, in one or several concurrent or consecutive proceedings, to foreclose the lien hereof upon the Property or any part thereof, or upon the Secured Obligations or any part thereof, by any proceedings appropriate under applicable law. Beneficiary or its nominee may bid and become the purchaser of all or any part of the Property at any foreclosure or other sale hereunder ("Foreclosure Sale"), and the amount of Beneficiary's successful bid shall be credited to the Secured Obligations. Without limiting the foregoing, Beneficiary may proceed by a suit or suits at law or in equity, whether for specific performance of any covenant or agreement herein contained or contained in the Note, or in aid of the execution of any power herein granted, or for any foreclosure under the judgment or decree of any court of competent jurisdiction, or for damages, or to collect the indebtedness secured hereby, or for the enforcement of any other appropriate legal, equitable, statutory, or contractual remedy. Beneficiary may sell the Property at public auction in one or more parcels, at Beneficiary's option, and convey the same to the purchaser in fee simple, Trustor to remain liable for any deficiency.

(g) Other Remedies. Beneficiary may exercise all rights and remedies contained in any other instrument, document, agreement, or other writing heretofore, concurrently, or in the future executed by Trustor or any other person or entity in favor of Beneficiary in connection with the Secured Obligations or any part thereof, without prejudice to the right of Beneficiary thereafter to enforce any appropriate remedy against Trustor. Beneficiary shall have the right to pursue all remedies afforded to a Beneficiary under applicable law, and shall have the benefit of all of the provisions of such applicable law, including all amendments thereto which may become effective from time to time after the date hereof. In the event any provision of such statutes which is specifically referred to herein may be repealed, Beneficiary shall have the benefit of such provision as most recently existing prior to such repeal, as though the same were incorporated herein by express reference.

(h) Power of Sale for Personal Property. Under this power of sale, Beneficiary shall have the discretionary right to cause some or all of the Property which constitutes personal property, to be sold or otherwise disposed of in any combination and in any manner permitted by applicable law. For purposes of this power of sale, Beneficiary may elect to treat as personal property any property which is intangible or which can be severed from the

Land or Improvements without causing structural damage. If it chooses to do so, Beneficiary may dispose of any personal property in any manner permitted by Article 9 of the Code, including any public or private sale, or in any manner permitted by any other applicable law.

(i) Single or Multiple Foreclosure Sales. If the Property consists of more than one lot, parcel, or item of property, Beneficiary may:

(i) designate the order in which the lots, parcels, and/or items shall be sold or disposed of or offered for sale or disposition; and

(ii) if it chooses to have more than one Foreclosure Sale, Beneficiary at its option may cause the Foreclosure Sales to be held simultaneously or successively, on the same day, or on such different days and at such different times and in such order as it may deem to be in its best interests. No Foreclosure Sale shall terminate or affect the liens of this Deed of Trust on any part of the Property which has not been sold, until all of the Secured Obligations have been paid in full.

4.3 Application of Foreclosure Sale Proceeds. The proceeds of any Foreclosure Sale shall be applied in the following manner:

(a) First, to pay the portion of the Secured Obligations attributable to the expenses of sale, costs of any action, and any other sums for which Trustor is obligated to reimburse Beneficiary hereunder, under the Note, in connection with the Loan, or under any of the Loan Documents;

(b) Second, to pay the portion of the Secured Obligations attributable to any sums expended or advanced by Beneficiary under the terms of this Deed of Trust which then remain unpaid;

(c) Third, to pay all other Secured Obligations in any order and proportions as Beneficiary in Beneficiary's sole and absolute discretion may choose; and

(d) Fourth, to remit the remainder, if any, to the person or persons entitled thereto.

5. RELEASE OF LIEN.

If Trustor shall fully pay and perform all of the Secured Obligations and comply with all of the other terms and provisions hereof and the Note to be performed and complied with by Trustor, then Beneficiary shall release this Deed of Trust and the lien thereof by proper instrument upon payment, performance, and discharge of all of the Secured Obligations and payment by Trustor of any filing fee in connection with such release.

6. MISCELLANEOUS PROVISIONS.

6.1 Notice. Any notice, demand, request, or other communication which any Party hereto may be required or may desire to give hereunder shall be in writing, addressed as follows and shall be deemed to have been properly given if hand delivered, if sent by reputable overnight courier (effective the business day following delivery to such courier) or if mailed (effective two business days after mailing) by United States registered or certified mail, postage prepaid, return receipt requested:

If to Trustor: AIR PLUS PROPERTIES, L.L.C.
1121 South Redwood Road
Salt Lake City, UT 84104

If to Beneficiary: MOUNTAIN AMERICA FEDERAL CREDIT UNION
9800 South Monroe Street
Sandy, Utah 84070

or at such other address as the Party to be served with notice may have furnished in writing to the Party seeking or desiring to serve notice as a place for the service of notice. Notices given in any other fashion shall be deemed effective only upon receipt.

6.2 Remedies Not Exclusive. No action for the enforcement of the lien or any provision hereof shall be subject to any defense which would not be good and available to the Party interposing same in an action at law upon the Note. Beneficiary shall be entitled to enforce payment and performance of any of the Secured Obligations and to exercise all rights and powers under this Deed of Trust or other agreement or any laws now or hereafter in force, notwithstanding some or all of the Secured Obligations may now or hereafter be otherwise secured, whether by mortgage, deed of trust, pledge, lien, assignment, or otherwise. Neither the acceptance of this Deed of Trust nor its enforcement, whether by court action or other powers herein contained, shall prejudice or in any manner affect Beneficiary's right to realize upon or enforce any other security now or hereafter held by Beneficiary, it being agreed that Beneficiary shall be entitled to enforce this Deed of Trust and any other remedy herein or by law provided or permitted, but each shall be cumulative and shall be in addition to every other remedy given hereunder or now or hereafter existing at law or in equity or by statute. No waiver of any breach, default, or Event of Default of the Trustor hereunder shall be implied from any omission by Beneficiary to take any action on account of such breach, default, or Event of Default if such breach, default, or Event of Default persists or is repeated, and no express waiver shall affect any breach, default, or Event of Default other than the breach, default, or Event of Default specified in the express waiver and that only for the time and to the extent therein stated.

6.3 Waiver of Statutory Rights. To the extent permitted by law, Trustor hereby agrees that it shall not and will not apply for or avail itself of any appraisement, valuation, stay, extension, or exemption laws, or any so-called "Moratorium Laws," now existing or hereafter enacted, in order to prevent or hinder the enforcement or foreclosure of this Deed of Trust, but hereby waives the benefit of such laws. Trustor, for itself and all who may claim through or under Trustor, waives any and all right to have the property and estates comprising the Property marshaled upon any foreclosure of the lien hereof and agrees that any court having jurisdiction to foreclose such lien may order the Property sold as an entirety. Trustor hereby waives any and all rights of redemption from sale under the power of sale contained herein or any order or decree of foreclosure of this Deed of Trust on Trustor's behalf and on behalf of each and every person, except decree or judgment creditors of Trustor, acquiring any interest in or title to the Property subsequent to the date of this Deed of Trust.

6.4 Estoppel Affidavits. Trustor, within five (5) days after written request from Beneficiary, shall furnish a written statement, duly acknowledged, setting forth the unpaid principal of, and interest on, the Secured Obligations and stating whether or not any offset or defense exists against such Secured Obligations, and covering such other matters as Beneficiary may reasonably require.

6.5 Merger. No merger shall occur as a result of Beneficiary acquiring any other estate in or any other lien on the Property unless Beneficiary consents to a merger in writing.

6.6 Binding on Successors and Assigns. This Deed of Trust and all provisions hereof shall be binding upon Trustor and all persons claiming under or through Trustor, and shall inure to the benefit of Beneficiary and its successors and assigns.

6.7 Captions. The captions and headings of various paragraphs of this Deed of Trust are for convenience only, and are not to be construed as defining or limiting the scope or intent of the provisions hereof.

6.8 Severability. If all or any portion of any provision of this Deed of Trust shall be held to be invalid, illegal, or unenforceable in any respect, then such invalidity, illegality, or unenforceability shall not affect any other provision hereof or thereof, and such provision shall be limited and construed as if such invalid, illegal, or unenforceable provision or portion thereof was not contained herein.

6.9 Effect of Extensions of Time and Amendments. If the payment or performance of the Secured Obligations or any part thereof be extended or varied, or if any part of the security be released, all persons now or at any time hereafter liable therefor, or interested in the Property, shall be held to assent to such extension, variation, or release, and their liability and the lien and all provisions hereof shall continue in full force, the right of recourse, if any, against all such persons being expressly reserved by Beneficiary, notwithstanding such extension, variation, or release.

6.10 Applicable Law. This Deed of Trust shall be governed by and construed under the laws of Utah.

6.11 TIME IS OF THE ESSENCE. **TIME IS OF THE ESSENCE** with respect to each and every covenant, agreement, duty, and obligation of Trustor under this Deed of Trust and the Note.

6.12 Recordation. Beneficiary is hereby expressly authorized to cause this Deed of Trust and any security instrument creating a lien or evidencing the lien hereof upon the Property, or any portion thereof, and each instrument of further assurance, to be filed, registered, or recorded in such manner and in such places as may be required by any present or future law in order to publish notice of and fully to protect the lien hereof upon, and the interest of Beneficiary in, the Property.

Trustor will pay all filing, registration, and recording fees and taxes, and all expenses incident to the preparation, execution, and acknowledgment of this Deed of Trust, any mortgage supplemental hereto, any security instrument with respect to the Property, and any instrument of further assurance, and all federal, state, county, and municipal stamp taxes, duties, impositions, assessments, and charges arising out of or in connection with the execution and delivery of the Note or this Deed of Trust.

6.13 Modifications. This Deed of Trust may not be changed or terminated except in writing signed by Trustor and Beneficiary. The provisions of this Deed of Trust shall extend and be applicable to all renewals, amendments, extensions, consolidations, and modifications of the Note and the Loan, and any and all references herein to the Note and the Loan shall be deemed to include any such renewals, amendments, extensions, consolidations or modifications thereof.

[Signature page follows]

Trustor has executed this Deed of Trust as of the date first written above.

TRUSTOR: AIR PLUS PROPERTIES, L.L.C., a Utah limited liability company

By: _____
SONIA N. CORDERO, Member-Manager

STATE OF Utah)
:ss
COUNTY OF Salt Lake)

On this 5 day of April, 2022, the foregoing instrument was acknowledged before me by SONIA N. CORDERO, the Member-Manager of AIR PLUS PROPERTIES, L.L.C., a Utah limited liability company.

SAMUEL JENSEN
NOTARY PUBLIC-STATE OF UTAH
COMMISSION# 705495
COMM. EXP. 05-28-2023

_____
NOTARY PUBLIC

EXHIBIT A
LEGAL DESCRIPTION

The following real property located in the County of Salt Lake, State of Utah:

Exhibit A

Lot 1, Winchester Corner, Murray City, Salt Lake County, State of Utah, according to the official plat thereof recorded in the office of the Salt Lake County Recorder, State of Utah.

Tax Parcel No. 22-19-152-009

MURRAY CITY HEARING OFFICER

NOTICE OF MEETING AND AGENDA

September 13, 2023

12:30 PM

Murray City Hall, 10 East 4800 South,

Poplar Conference Room #151

CALL MEETING TO ORDER

1. Conflict of Interest Disclosure

APPEAL(S)

2. Sonia Cordero - 20 East Winchester Street
Case #1608
Appeal of Section 17.24. Allowing Home Occupation Businesses only within a Residential Zone
Project #23-086

3. Applegate LLC - 770 West Applegate Drive (apx)
Case #1607
Appeal of Planning Commission Conditions of Approval for a Conditional Use Permit and Subdivision Approval
Project #23-086

ANNOUNCEMENTS AND QUESTIONS

ADJOURNMENT

The next scheduled meeting will be held on **Wednesday, October 11, 2023, at 12:30 p.m. located at Murray City Hall, Poplar Room #151, 10 East 4800 South, Murray UT 84107.**

Special Accommodations for the hearing or visually impaired will be made upon a request to the office of Murray City Recorder (801-264-2662). We would appreciate notification two working days prior to the meeting. TTY is Relay Utah at #711.

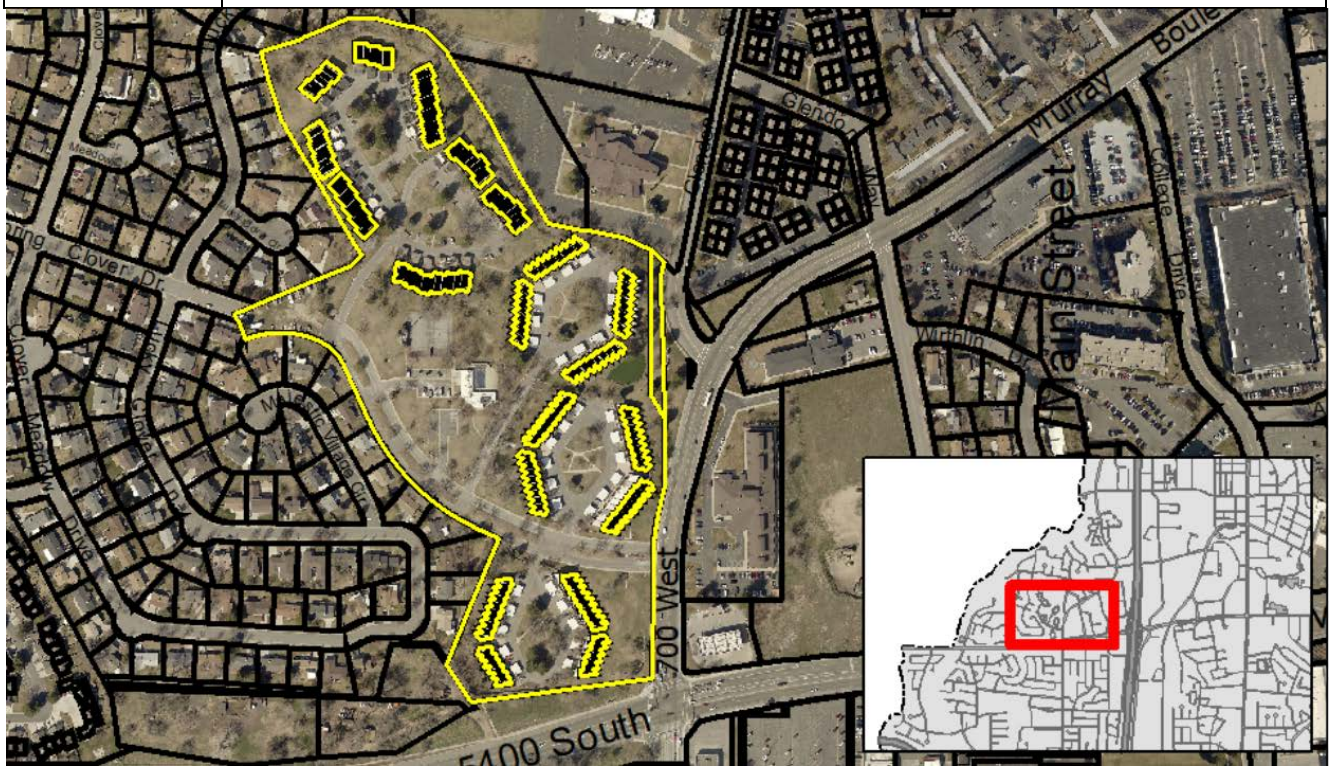
Committee members may participate in the meeting via telephonic communication. If a Committee member does participate via telephonic communication, the Committee member will be on speakerphone. The speakerphone will be amplified so that the other Committee members and all other persons present will be able to hear all discussions.

At least 24 hours prior to the meeting, a copy of the foregoing notice was sent to the City Recorder to post in conspicuous view in the front foyer of the Murray City Center, Murray, Utah. A copy of this notice was also posted on Murray City's internet website www.murray.utah.gov and the state noticing website at http://

MURRAY CITY CORPORATION
COMMUNITY & ECONOMIC DEVELOPMENT

Building Division 801-270-2400
Planning Division 801-270-2430

HEARING OFFICER MEETING AGENDA ITEM #3			
ITEM TYPE:	Appeal of Conditions for Approval Granted by the Planning Commission		
ADDRESS:	770 West Applegate Drive	**MEETING DATE:**	September 13, 2023
APPLICANT:	Applegate LLC	**STAFF:**	Susan Nixon, Senior Planner
PARCEL ID:	22-11-478-174	**CASE NUMBER:**	1607
ZONE:	R-M-15, Multi-Family Residential	**PROJECT NUMBER:**	23-086
SIZE:	23.7 total acres | 5.11 acre proposed lot | 42 Units | 8.2 units/acre		
REQUEST:	The appeal is for Conditions of Approval granted by the Planning Commission's conditions of approval for a Subdivision amendment and a Conditional Use Permit for a Multi-Family 42-Unit Townhome project in the R-M-15 Zone.		



I. DESCRIPTION of REQUEST

Mr. Jake Christensen, representing Applegate LLC is appealing some of the conditions of approval granted by the Planning Commission at the June 15th public hearing for subdivision amendment and Conditional Use Permit to add 42-Unit Townhomes on the property located approximately at 770 West Applegate Drive. The subject property is a multi-family development with 172 existing individual-owned condominiums located in the R-M-15, multi-family residential zone.

In 2018, the City Council approved a General Plan and Zone Map Amendment from R-1-8 to R-M-15. In 2019, an appeal to the Hearing Officer was made on an administrative decision regarding the cellular tower's nonconforming status. An expansion of nonconforming structure and variance was also granted by the Murray City Hearing Officer. In May of 2020, the Planning Commission granted Preliminary & Final Subdivision Amendment to the Applegate Condominiums, Preliminary Planned Unit Subdivision approval for 48 individually owned townhomes, and Conditional Use Permit approval for Applegate Townhomes PUD. The Applegate Condominiums Amended Plat was not recorded within the one-year time limit and the approval lapsed. The CUP approval was voided in June 2022 after no substantial work had taken place for a period of two years.

On June 15, 2023, the Planning Commission granted preliminary and final subdivision approval and conditional Use Permit approval for an amendment to the Applegate Condominiums to create the 5.11-acre lot/parcel and for a Conditional Use Permit to allow the additional 42-unit townhomes. Applegate LLC is appealing some of the conditions of approval granted on June 15, 2023.

II. STANDARD of REVEIW

A Land Use Authority, i.e. Planning Commission, decision is statutorily presumed to be valid, and the Hearing Officer is limited to determining whether the decision is arbitrary, capricious, or illegal. A final decision of a land use authority or an appeal authority is valid if the decision is supported by substantial evidence in the record and is not arbitrary, capricious, or illegal. Local land use authority is afforded a comparatively wide latitude of discretion. Interpretation and application of local ordinances are afforded some deference based upon the local authorities' specialized knowledge.

Substantial evidence is that quantum and quality of relevant evidence that is adequate to convince a reasonable mind to support a conclusion. Substantial evidence is more than a mere scintilla of evidence, though something less than the weight of the evidence.

When reviewing the determination under the substantial evidence test, the Hearing Officer does not conduct a de novo review or a reweighing of the evidence. The Hearing Officer will not substitute his judgment as between two reasonably conflicting views, even though he may have come to a different conclusion had the case come before him for de novo review.

Because the party seeking review of a decision must show that the land use authority's factual determinations are not supported by substantial evidence, the Hearing Officer examines the facts and all legitimate inferences drawn therefrom in the light most favorable to the land use authority's findings.

III. LAND USE ORDINANCE

Section 17.16.010 defines "Land Use Authority" as the Planning Commission, the Department Director or a staff member when making any order, requirement, decision, or determination in the enforcement of Title 16 or 17 of the Murray Municipal Code or any other related ordinance. This application is an appeal of specific conditions of approval granted by the Planning Commission regarding the land uses allowed for the subject property.

For appeals from a decision made by the Land Use Authority, Municipal Code 17.16.040 outlines the Standard of Review which states:

A. *The review by the Hearing Officer, as the Appeal Authority, shall be limited to the record of the land use application process resulting in the decision made by the land use authority which is the subject of the appeal. The record may include written communications, the land use application, staff reports, meeting minutes and the written land use decision.*

B. *The hearing officer may not hear, accept or consider any evidence outside the record of the land use authority unless that evidence was offered to the land use authority and the hearing officer determines that it was improperly excluded.*

Based on this information, no new evidence outside of the record shall be allowed and in review of this appeal, the Hearing Officer must evaluate the decision based on the record. The record is the information presented at the time the Planning Commission granted approval and cannot include additional information brought forward at a later time that was not part of the evidence that was used to make the decision.

It is not possible to come up with code regulations for every situation and the Planning Commission has the authority to apply both city and state law and apply logical and practical mitigating conditions. Everything in this appeal does not show the burden of proof.

IV. ATTACHMENTS

The following documents and materials to this report for the Hearing Officer's review of the record:

Attachment A – Appellant's application and written appeal.

Attachment B – Appeal of a Land Use Decision (from Murray City Attorney's office)

Attachment C – Staff Report dated June 15, 2023 (from Susan Nixon, Senior Planner) including attachments as provided to the Planning Commission to review for Subdivision

Approval and Conditional Use Permit approval on the subject property.

Attachment D – Findings of Fact approved on July 20, 2023, which the Planning Commission relied on the staff report, minutes dated June 15, 2023, and Conditional Use Permit granted on June 15, 2023.

V. THE APPEAL

Determination

In making a determination, the Planning Commission identifies and relies upon Staff's review and findings based on city code, state code and practiced procedures. Staff research and findings are based on the submitted application, history of the existing project/property, city code, state codes, and oral testimonies given at the June 15th meeting.

Appellant's Written Statement

Staff's review of and response to the appellant's written statement is outlined in the attached "Administrative Hearing of a Land Use Appeal."

VII. CONCLUSION / RECOMMENDATION

Based on the findings stated above, review and analysis of the appellant's narrative arguments, and the record as presented, **Staff recommends DENIAL of the appeal**.

NOTE: A decision of a Hearing Officer takes effect on the date when the Hearing Officer issues a written decision. (Murray City Municipal Code Section 17.16.050(A.)

An appeal of the decision by the Hearing Officer may be made to the Utah District Court in compliance with Section 10-9a-801 of the Utah Code.

Attachment A

APPEAL OF A LAND USE DECISION APPLICATION

Type of Appeal (check one):

Conditional Use Permit X Site Plan Review _____ Staff Determination _____

Project Name: Fuji Subdivision

Project Address: 770 West Applegate Drive, Murray UT

Parcel Identification (Sidwell) Number: 21114781740000

Parcel Area(acres): 5.11 Acres Zoning District: RM-15

Applicant Information

Name: Applegate LLC

Mailing Address: 2150 South 1300 East, STE 500

City: Salt Lake City State: UT ZIP: 84106

Primary Phone #: (385) 355-4612 Fax #: _____

Email Address: FujiTownhomes@gmail.com

Property Owner's Information (If different)

Name: Applegate HOA

Mailing Address: P.O. Box 802

City: Draper State: UT ZIP: 84020

Primary Phone #: (801) 285-9800 Fax #: _____

Email Address: dpharmfam@yahoo.com

Authorized Signature: Michelle Nuema Date: 6-26-2023

JC Manager, Applegate LLC Date: 6/26/23

For Office Use Only

Project Number: 23-086 Date Accepted: _____

Planner Assigned: _____

Property Owners Affidavit

I (we) Michelle Hillman, President of Applegate HoA, being first duly sworn, depose and say that I (we) am (are) the current owner of the property involved in this application: that I (we) have read the application and attached plans and other exhibits and are familiar with its contents; and that said contents are in all respects true and correct based upon my personal knowledge.

Michelle Hillman
Owner's Signature

Owner's Signature (co-owner if any)

State of Utah

§

County of Salt Lake

Subscribed and sworn to before me this 26 day of June, 2023.

William Cherry
Notary Public

Residing in West Jordan UT My commission expires: 06-03-2025

WILLIAM CHERRY
NOTARY PUBLIC-STATE OF UTAH
COMMISSION# 718670
COMM. EXP. 06-03-2025

MEMORANDUM IN SUPPORT OF APPEAL

Applegate, LLC ("Applicant") pursuant to Sections 17.16.030, 16.04.100(I), and 17.56.070 of the Murray City Code (the "City Code"), hereby appeals (i) the conditions that the Planning Commission (the "Commission") imposed on approval of the Applegate Condominiums Amended Subdivision, and (ii) the conditions that the Commission imposed on approval of the Conditional Use Permit for the Fuji Townhomes. Applicant appeals conditions 1(c), 1(g), 1(o), and 6 of the subdivision approval and conditions 1(d), 1(i), 7, and 9 of the Conditional Use Permit approval.

BACKGROUND

Applicant filed applications for (i) preliminary and final subdivision approval to amend the existing Applegate Condominiums, and (ii) conditional use permit approval for a 42-unit townhouse project (collectively, the "Project"). On June 15, 2023, the Commission adopted the Conclusion/Recommendation – Subdivision Amendment as set forth in the Planning Commission Staff Report (the "Staff Report") including all conditions described therein (the "Subdivision Approval"), and adopted the Conclusion/Recommendation – Conditional Use Permit as set forth in the Staff Report including all conditions described therein (the "CUP Approval"). A copy of the Staff Report is enclosed as Schedule 1 to this letter. The Commission's approvals included the following illegal and improper conditions:

Subdivision Approval

1(c) Meet Salt Lake County addressing requirements for street name and unit addressing – Fuji Avenue needs to be changed to Fuji Way or Fuji Drive.

1(g) Recommendation – work with the property owners at 5313 South Majestic Village Cir. And 839 West Spring Clover Dr. to clean up the property line discrepancies.

1(o) Provide emergency only access gate meeting Fire Department requirements at Fuji connection to Spring Clover Drive.

6 The applicant shall install an 8-foot-high solid wall adjacent to any single-family dwellings and must be installed prior to construction of any new dwellings.

Conditional Use Permit Approval

1(i) Provide emergency only access gate meeting Fire Department requirements at Fuji connection to Spring Clover Drive.

7 The applicant shall install an 8' solid masonry wall adjacent to all single-family dwellings.

9 The applicant shall remove the dog park from the detention basin area (also condition 1(d))

STANDARD OF REVIEW AND STANDING

Pursuant to Section 17.16.040(A) of the City Code, "the review by the hearing officer of the appeal shall be limited to the record of the land use application process resulting in the decision made by the land use authority which is the subject of the appeal. The record may include written communications, the land use application, staff reports, meeting minutes and the written land use decision." "The hearing officer may not hear, accept, or consider any evidence outside the record of the land use authority unless that evidence was offered to the land use authority and the hearing officer determines that it was improperly excluded." *Id.* § 17.16.040(B). The hearing officer shall determine whether the record on appeal includes substantial evidence for each essential finding of fact. Id. at § 17.16.040(D)(1). The appellant has the burden of proving that the land use authority erred. Id. at § 17.16.040(C). Applicant has standing to appeal pursuant to Sections 17.16.030, 16.04.100(I), and 17.56.070 of the City Code and Section 10-9a-703 of the Utah Code as it is the land use applicant and has filed this appeal within the applicable time period.

ARGUMENT

I. The Commission erred by imposing condition 1(o) on the Subdivision Approval and condition 1(i) on the CUP Approval

Under Utah law, it is a basic presumption that "the right[] of access . . . [is an] easement[] appurtenant to the land of an abutting owner on a street, and that they are property rights forming part of the owner's estate." See Hampton v. State Road Comm'n, 445 P.2d 708, 711 (Utah 1968); Intermountain Sports, Inc. v. Department of Transp., 2004 UT App 405, ¶ 10. Here, Spring Clover Drive runs directly to the property line of the Project and the public roadway improvements even extend onto Applegate property. When the original Applegate development was platted, Applegate Drive connected directly to Spring Clover Drive, so it is clear that both the City and original developer of Applegate Condominiums intended that Spring Clover Drive be used to service the Applegate property. Now that Applicant desires to make that connection, and utilize its access rights, the Commission has prohibited access by requiring that the Applicant must "[p]rovide [an] emergency only access gate meeting Fire Department requirements at Fuji connection to Spring Clover Drive." Staff Report pgs. 15 and 20. However, Murray City Code 16.16.170 states the following: "The arrangement of streets in the new subdivision should provide for the continuation of the existing streets from adjoining areas ...".

The justification that the Commission provided for the condition to **restrict** access—contrary to the mandatory provision in Murray City Code—is from the unsupported assertion of the City engineer that "several streets in the neighborhood are already plagued with traffic and speeding issues, so pushing more traffic into the area is undesirable" (Staff Report pg. 5 and City Engineer Memo. pgs. 24-25). Significantly, the City engineer did not provide any specific evidence, nor any analysis of existing quantifiable traffic issues. Further, the City engineer failed to identify any detrimental impact that the minimal traffic **generated by the new development** via the Spring Clover access would have on the surrounding public roads. In none of the materials provided to the Applicant did City staff or the Commission identify which streets were "plagued with traffic" nor did they provide a traffic study that could be reviewed and/or verified by the Applicant and its certified traffic engineer. During the Planning Commission Meeting on June 15, 2023 (the "PC Meeting"), Chris Zawislak, on behalf of the city engineer, referenced public complaints about traffic and speeding on Germania Avenue and Riverside Drive—traffic conditions unrelated to the Project. Mr. Zawislak made no connection to, nor provided any analysis of how the minimal traffic generated by the new development through Spring Clover would create a detrimental impact to the surrounding neighborhood.[1] In short, the material submitted by the Commission and City staff failed to provide substantial evidence, as required by City Code Section 17.16.040(D)(1), to support the supposed finding that the traffic generated by the new development would be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or that the condition imposed—an emergency-only access gate—is necessary to protect the public welfare.

Additionally, the Applicant provided the City and Commission a traffic impact study prepared by Fehr Peers, dated May 29, 2019 and supplemented on July 20, 2022, December 28, 2022 and June 14, 2023[2] (collectively, the "Traffic Study"), attached hereto as Schedule 2, which clearly

[1] The minutes for the PC Meeting have not yet been published, but will be made a part of the record for this appeal upon adoption and publishing by the City.

[2] The supplemental memorandum to the Traffic Impact Study dated June 14, 2023, was provided to City staff and the Commission prior to the Planning Commission Meeting on June 15, 2023, the findings from the supplemental memorandum were included in the Staff Report (i.e., "The study projects 95% (1,200) vehicles per day will utilize the

indicates that the additional traffic generated by the Project will not adversely impact the Murray Boulevard access, the Spring Clover access, nor the surrounding neighborhood roads. The City has not raised any issues whatsoever with the Traffic Study nor indicated that it was improperly conducted, used improper methodology, or that its findings were in some way incorrect. In fact, in his memorandum supporting the Staff Report, which is attached hereto as Schedule 3, the City engineer provided that "Engineering Staff has reviewed and evaluated the traffic data and counts provided in the project traffic impact and queue studies. Based on the unit counts, trip generation, traffic counts, and field observations, we're confident that level of service of the intersections evaluated in the studies will not decrease due to the proposed 42 units, **regardless of how the secondary Spring Clover access is configured**" (emphasis added). Although the City engineer's memo advocates for an emergency-only access, his statement acknowledges that based on the accepted Traffic Study, the traffic impacts generated from the Project will not detrimentally impact the level of service on neighboring roads. Lastly, addressing the only other concern considered during the PC Meeting, the proposed subdivision road does not functionally differ from Spring Clover Drive according to the official road classifications detailed in the 2021 Murray City Transportation Master Plan. Both roads are classified as "Local Streets", regardless of any unofficial subclassification (*see* 2021 Murray City Transportation Master Plan, Schedule 4).

In summary, the City has not submitted **any** reviewable evidence, let alone **substantial evidence**, to support its "finding" that the traffic in the neighborhood surrounding the Project would be adversely impacted by the Project. And, the City has not refuted the Traffic Study or other materials provided by Applicant—demonstrating that the neighborhood will not be adversely impacted. For all of the aforementioned reasons and relevant City Code requirements, the City erred by imposing condition 1(o) on the Subdivision Approval and condition 1(i) on the CUP Approval prohibiting residential access to and from the Project via Spring Clover Drive.

II. The Commission erred by imposing condition 6 on the Subdivision Approval and condition 7 on the CUP Approval

The Commission is not authorized to impose conditions or requirements on a subdivision approval (unlike a Conditional Use Permit approval) that are not explicitly contained in the applicable provisions of the City Code. If the subdivision complies with the express provisions of the City Code, then the subdivision must be approved. Further, "because zoning ordinances are in derogation of a property owner's common-law right to unrestricted use of his or her property, provisions therein restricting property uses should be strictly construed in favor of the property owner." Hugoe v. Woods Cross City, 1999 UT App 281, ¶ 8, 988 P.2d at 458.

Here, there are no provisions of the City Code that allow the Commission to impose an 8' tall masonry wall requirement on the Subdivision Approval in the R-M-15 Zone. Some provisions of the City Code require a six foot (6') high solid masonry wall when a commercial zone abuts a residential zone (see, e.g., § 17.144.140, Fencing Regulations for the General Office District). Likewise, City Code Section 17.64.090(D) provides that "[t]he Planning Commission is authorized to **grant** (**not require**) additional fence height for buffer fencing between commercial and residential zoning districts to a maximum height of eight feet (8')". However, the Project is **not** a commercial development. City Code Section 17.64.090(F) provides that "[p]roperties exceeding

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Murray Blvd. access and 5% (60) vehicles per day will use the Spring Clover access."), and was discussed at length in the PC Meeting on that date. Accordingly, it should be deemed a part of the official record for this matter.

one-half (1/2) acre in size **may** erect a fence to a height not exceeding eight feet (8')" (emphasis added). This provision is clearly permissive, and not mandatory. Finally, the City's ability to impose conditions requiring "screening or landscaping to protect adjacent properties" in City Code 17.56.060 is only applicable to conditional use permits and not subdivision applications. Because no provision of the City Code requires either (i) an 8' tall barrier, or (ii) that the barrier be masonry construction, the City erred by imposing condition 6 on the Subdivision Approval.

The Commission erred by imposing condition 7 of the CUP Approval because it is not a condition necessary to mitigate the reasonably anticipated detrimental effects of the proposed use, as required by Utah Code 10-9a-507. The Commission determined that the new residences will be built closer to neighboring houses than the condos currently on the property, and that the new development represents a "significant encroachment" on the neighbors. Thus, the Commission concluded, an 8' tall masonry wall is necessary.[3] However, the impact of the Project is not significantly different than those created by permitted uses in both the R-1-8 and R-M-15 zones. The planned Project structures are shorter in height, and no wider than the permitted uses in the R-1-8 (single family) and R-M-15 zones. Likewise, both the R-1-8 and the R-M-15 zones require rear setbacks of at least 25'—which the Project fully complies with—and thus does not "encroach" on the neighbors' property in any way. According to Murray City Code, structures of the same height (or even greater height), same building envelope, and same setback could be constructed next to any of the existing single-family homes in the adjacent R-1-8 zone with a typical 6' **solid fence**, rather than an 8' **masonry wall**. Furthermore, the proposed Project density is **less dense than the permitted density** for duplexes in the R-M-15 zone—a permitted use in the Project zone. Accordingly, the Project does not create unique detrimental impacts separate and apart from permitted uses and must be allowed to comply with the standard fence regulations in the City Code Section 17.64. As a further confirmation of the illegally imposed condition, City staff **could not provide a single example** of another residential development in the City, including similar townhome developments in the R-M-15 zone adjacent to R-1-8 zoning, where the Commission imposed both an 8' and masonry wall requirement. Thus, the "detriments" discussed by the Commission are improper justifications for the condition imposed, especially since the same basic structure—relative to height, width, density and setbacks—could be built and fully comply with the general conditions of the zone.

Further, condition 7 is not reasonable, because both the height and material required by the Commission are excessive, and not in accordance with the applicable standards. As for height, throughout the City Code—and currently constructed almost universally throughout Murray City—a 6' tall fence has been deemed to be adequate to screen residential properties, even when the impacts are from commercial areas or hospitals. Further, due to the grade difference (which was verified by City staff) between the adjacent single-family residences and the Project—in addition to the existing 2' to 4' retention walls located on the neighbors' properties—an 8' tall masonry wall actually constitutes a 10'-12' vertical barrier, as viewed **from the neighboring homes**. The elevation difference was demonstrated visually for the Commission with Schedule 5, and explained by City staff during the PC Meeting. This newly created 10'-12' masonry barrier is not in accordance with established standards nor harmonious with the existing neighborhood, and

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[3] Please note that the Commission only referenced visual screening and not screening for other purposes, such as noise concerns.

is excessive. Accordingly, the City has not demonstrated that an 8' tall masonry wall is necessary or can even be legally imposed, when a 6' tall solid fence is consistent with applicable standards in City Code.

Finally, any solid fence provides the same degree of visual screening as a masonry wall, and neither the City nor the Commission provided any evidence as to why a masonry wall is necessary. The Commission provided a largely irrelevant and lengthy discussion during the June 15, 2023, PC Meeting that an 8' masonry wall is necessary to "be a good neighbor", and that it "dramatically increases the quality of the development." Section 17.64.010 of the City Code, however, provides that the purpose of the fence regulation provisions "is to allow a wide variety of fence styles and construction to promote property security, privacy, and architectural compatibility." It is excessive to require a masonry wall when other solid fence types would provide the same degree of screening without being an unreasonable burden on the Project. While a 6' tall solid fence imposed as a condition is reasonable, the Commission erred by requiring an 8' tall masonry wall.

III. The Commission erred by imposing condition 1(c) on the Subdivision Approval

This condition requires that Applicant "[m]eet Salt Lake County addressing requirements for street name and unit addressing – Fuji Avenue needs to be changed to **Fuji Way** or **Fuji Drive**" (emphasis added). While the Applicant is fully willing to comply with the Salt Lake County standard, the Applicant should have discretion to choose any name in accordance with that standard, rather than be restricted to only one of two possibilities—now required as a condition of approval—based solely on the opinion of the City engineer. Accordingly, Applicant requests that condition 1(c) on the Subdivision Approval be revised to "Meet Salt Lake County addressing requirements for street name and unit addressing."

IV. The Commission erred by imposing condition 9 (and 1(d)) on the CUP Approval

Here again, the City failed to cite any ordinance, applicable standard, provision from Murray City Stormwater Management plan, provision or guidance from Salt Lake County Health Department, or state mandate that requires or allows for the prohibition of a dog park amenity. The Commission did not contemplate, propose or discuss any reasonable mitigation to reduce the anticipated detrimental impact of a dog park amenity on stormwater quality (such as gravel settling areas, fencing around key sections of the detention pond, the addition of a waste bag station with garbage can, or a requirement for property management to maintain the dog park). Further, Utah Code 10-9a-507 specifies that it does not require elimination of the detrimental effects. Accordingly, the Commission lacked substantial evidence and erred by imposing condition 9 (and 1(d)) on the CUP Approval requiring removal of the proposed dog park.

V. The Commission erred by imposing condition 1(g) on the Subdivision Approval

This condition is phrased as a "recommendation" which is not appropriate for a mandatory condition imposed on the Subdivision Approval. The Subdivision Approval must only include conditions to bring the subdivision into compliance with applicable provisions of the City Code and there is not anything in the City Code requiring the applicant to resolve encroachment issues related to the property before a subdivision can be approved. Accordingly, the City erred by imposing this condition (which seems to be merely a recommendation) and should be removed.

RELIEF SOUGHT ON APPEAL

For all of the reasons described, we appeal the Commission's decision and request that (i) conditions 1(g), 1(o), and 6 of the Subdivision Approval, and conditions 1(d), 1(i), 7, and 9 of the CUP Approval be removed, and (ii) that condition 1(c) of the Subdivision Approval be amended.

Schedule 2

Traffic Studies

FEHR PEERS

Memorandum

Date: June 14, 2023

To: Quinn Millet, Wellsville Mtns LLC
Jake Christensen, Atlas Ventures

From: Calvin Clark, Fehr & Peers
Preston Stinger, Fehr & Peers

Subject: Applegate Drive & Spring Clover Drive Connection

UT22-2375

The purpose of this memo is to assess the potential impacts of making an unrestricted connection between Applegate Drive and Spring Clover Drive in Murray, UT. Along with this connection, there would be an addition of 42 attached single-family units on Applegate Drive (referred to as the Fuji townhomes) and a gate on Applegate Drive just east of Rome Beauty Park.

The new gate on Applegate Drive would be accessible only to Applegate and Fuji residents and emergency vehicles, meaning that residents from the neighborhood to the west will not be able to use the new connection between Spring Clover Drive and Applegate Drive as a cut-through to Murray Parkway, so no traffic impacts are anticipated at the intersection of Murray Parkway & Applegate Drive as a result of this connection.

Fehr & Peers collected 24-hour counts on Applegate Drive just west of Murray Parkway. Since that connection is the only access to the current layout of the Applegate community, these counts represent typical trips to and from the community. Fehr & Peers also estimated the trip generation of the proposed 42 attached single-family units using ITE 11th Edition Trip Generation rates for land use code 215 and included them to assess the expected number of daily, AM peak, and PM peak trips to and from the Applegate + Fuji community, presented in Table 1.

Fehr & Peers estimates that if the unrestricted connection is made between Applegate Drive and Spring Clover Drive that roughly 5-10% of Applegate + Fuji traffic would route through Spring Clover Drive. This estimate comes from the assumption that the majority of trips to and from Applegate Drive would be to and from the east or the south, which would not benefit from the potential cut through, and for the remainder of trips the neighborhood streets would likely be an

unattractive route which would discourage cut through traffic. Table 2 presents the estimated number of trips routing through Spring Clover Drive.

Table 1: Trips to and from Applegate + Fuji

Period	Existing Count	Trip Gen	Existing + Trip Gen
Daily	942	270	1,212
AM Peak Hour	51	16	67
PM Peak Hour	92	21	113

Table 2: Applegate + Fuji Trips Routing through Spring Clover Drive

Period	Applegate + Fuji Trips	5% Diverting through Spring Clover	10% Diverting through Spring Clover
Daily	1,212	60	121
AM Peak Hour	67	4	7
PM Peak Hour	113	6	11

The addition of an unrestricted connection between Applegate Drive and Spring Clover Drive could result in a potential extra 60-121 daily, 4-7 AM peak hour, and 6-11 PM peak hour trips dispersed throughout the neighborhood to the west of Applegate. Fehr & Peers was not able to find publicly available data on current traffic volumes and operations of the neighborhood streets such as Halcyon Drive and Clover Meadow Drive, but this number of additional trips is not expected to cause significant traffic issues to these neighborhood streets unless they are already operating at or near capacity. The neighborhood roadways are not likely near capacity given the number of homes in the neighborhood and the lack of connectivity to other areas that would increase traffic. Furthermore, the additional connection could provide traffic benefits to the wider Murray area by providing redundant routes and access and potentially dispersing traffic in cases where nearby intersections are impacted by incidents.

FEHR & PEERS

Applegate Expansion Traffic Impact Study

MEMORANDUM

Date: May 29, 2019

To: Quinn Millet, Millet Appraisal Services

From: Christopher Bender, EIT, Fehr & Peers
Seishi Yamagata, PE, Fehr & Peers

Subject: Applegate Expansion Traffic Impact Study

UT19-2157

EXECUTIVE SUMMARY

The purpose of this study is to determine the potential impacts to traffic conditions due to the proposed Applegate Expansion in Murray, Utah located northwest of 5300 W & Murray Boulevard on Applegate Drive. Under current conditions, the study intersections operate at acceptable delays and Levels of Service (LOS), with the exception of the westbound traffic at the Applegate Drive & Murray Boulevard intersection, which currently operates at LOS E and F in the AM and PM peak hours, respectively. This is caused by heavy through-movement volumes on Murray Boulevard which increase the delay for the side-street stop controlled left-turning vehicles. However, the intersection has "keep clear" striping to prevent the southbound queues at 5300 S & Murray Boulevard from blocking the intersection at Applegate Drive. During data collection, the southbound queue at 5300 S & Murray Boulevard was observed to occasionally extend back to Applegate drive, but when that would happen, the southbound drivers on Murray Boulevard allowed the side-street vehicles to turn onto Murray Boulevard with minimal delay. This is not captured in Synchro's analysis methodology, so the reported delay is likely overstated. Furthermore, the east and westbound queue lengths are contained on the minor street driveways.

With project-generated traffic from the proposed Applegate Expansion, all study intersections continue to operate with the same LOS as in existing conditions with minor increases in delay to the study intersections. Therefore, no mitigations are recommended for existing plus project conditions. A summary of the delay and LOS for each condition is shown in **Table ES-1**.

TABLE ES-1 LEVEL OF SERVICE RESULTS SUMMARY

	Intersection (Control)	Period	Existing 2019	Existing Plus Project
			LOS & Delay (Sec/Veh)	LOS & Delay (Sec/Veh)
1	Murray Boulevard & 5300 South (Signal)[1]	AM	31 / C	31 / C
		PM	28 / C	29 / C
2	Murray Boulevard & Applegate Drive (Side Street Stop)[2]	AM	36 / E	38 / E
		PM	70 / F	83 / F
3	College Drive & 5300 South (Signal)[1]	AM	13 / B	13 / B
		PM	29 / C	29 / C

1. Signalized intersections: overall intersection LOS and delay reported.
2. Unsignalized intersections: worst movement LOS and delay reported.
Source: Fehr & Peers, 2019

INTRODUCTION

The purpose of this study is to determine the potential impacts to traffic conditions due to the completion of the proposed Applegate Expansion to be located northwest of 5300 S & Murray Boulevard on Applegate Drive. The proposed expansion is composed of 48 total townhomes and will use the development's existing access on Applegate Drive & Murray Boulevard. **Figure 1** shows the project site plan. This memorandum will discuss:

- The existing conditions in the study area.
- Intersection conditions with additional traffic from the proposed Applegate Expansion.

STUDY AREA

This study analyzes the traffic operations at the following study intersections:

1. 5300 S & Murray Boulevard
2. Applegate Drive & Murray Boulevard
3. 5300 S & College Drive

DATA COLLECTION

Traffic counts at the study intersections were collected to establish a baseline of existing conditions and operations for the area. At the study intersections, AM peak period traffic counts were recorded from 7:00 AM to 9:00 AM and PM peak period traffic counts were recorded from 4:00 PM to 6:00 PM on Wednesday, May 15th, 2019. The AM and PM peak hours were 7:30-8:30 AM and 4:45-5:45 PM, respectively.

LEGEND

- PROPERTY BOUNDARY
- PROPOSED TOWNHOMES (22 x 44', 10 UNITS)
- PROPOSED DUPLEXES (24' x 34', 38 UNITS)
- PROPOSED ASPHALT ROADWAY
- PROPOSED CONCRETE
- PROPOSED GRASS
- PROPOSED TREES
- EXISTING TREES
- PROPOSED STREET LIGHTS
- EXISTING BUILDINGS

* TOTAL TOWNHOME UNITS = 48

SECTION A-A - APPLEGATE DRIVE

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DRAWING TITLE

SITE PLAN

CLIENT

QUINN MILLET

COMPLETION STATUS

PRELIMINARY PLANS

PROJECT

APPLEGATE CONDOMINIUMS
MURRAY, UT

GENERAL

N

S

30 0 15 30 60

Scale (24" x 36") 1 in. = 30 FT.

REVISIONS:

REV #	DESCRIPTION	DATE

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STAMP

PROJECT NO. W-18-15

DATE 01/07/19

SHEET NUMBER C-01

ANALYSIS METHODOLOGY

Level of Service (LOS) is a term that describes the operating performance of an intersection or roadway. LOS is measured quantitatively and reported on a scale from A to F, with A representing the best performance and F the worst. **Table 1** provides a brief description of each LOS letter designation and an accompanying average delay per vehicle for unsignalized intersections. The Highway Capacity Manual 6th Edition (HCM 6) methodology was used in this study to remain consistent with "state-of-the-practice" professional standards.

TABLE 1 LEVEL OF SERVICE DESCRIPTIONS

LOS	Description	Signalized Intersections	Unsignalized Intersections
		Avg. Delay (sec/veh)[1]	Avg. Delay (sec/veh)[2]
A	*Free Flow / Insignificant Delay* Extremely favorable progression. Individual users are virtually unaffected by others in the traffic stream.	< 10.0	< 10.0
B	*Stable Operations / Minimum Delays* Good progression. The presence of other users in the traffic stream becomes noticeable.	> 10.0 to 20.0	> 10.0 to 15.0
C	*Stable Operations / Acceptable Delays* Fair progression. The operation of individual users is affected by interactions with others in the traffic stream	> 20.0 to 35.0	> 15.0 to 25.0
D	*Approaching Unstable Flows / Tolerable Delays* Marginal progression. Operating conditions are noticeably more constrained.	> 35.0 to 55.0	> 25.0 to 35.0
E	*Unstable Operations / Significant Delays Can Occur* Poor progression. Operating conditions are at or near capacity.	> 55.0 to 80.0	> 35.0 to 50.0
F	*Forced, Unpredictable Flows / Excessive Delays* Unacceptable progression with forced or breakdown of operating conditions.	> 80.0	> 50.0

1. Overall intersection LOS and average delay (seconds/vehicle) for all approaches.
2. Worst approach LOS and delay (seconds/vehicle) only.

Source: Fehr & Peers descriptions, based on *Highway Capacity Manual 6th Edition.*

EXISTING CONDITIONS

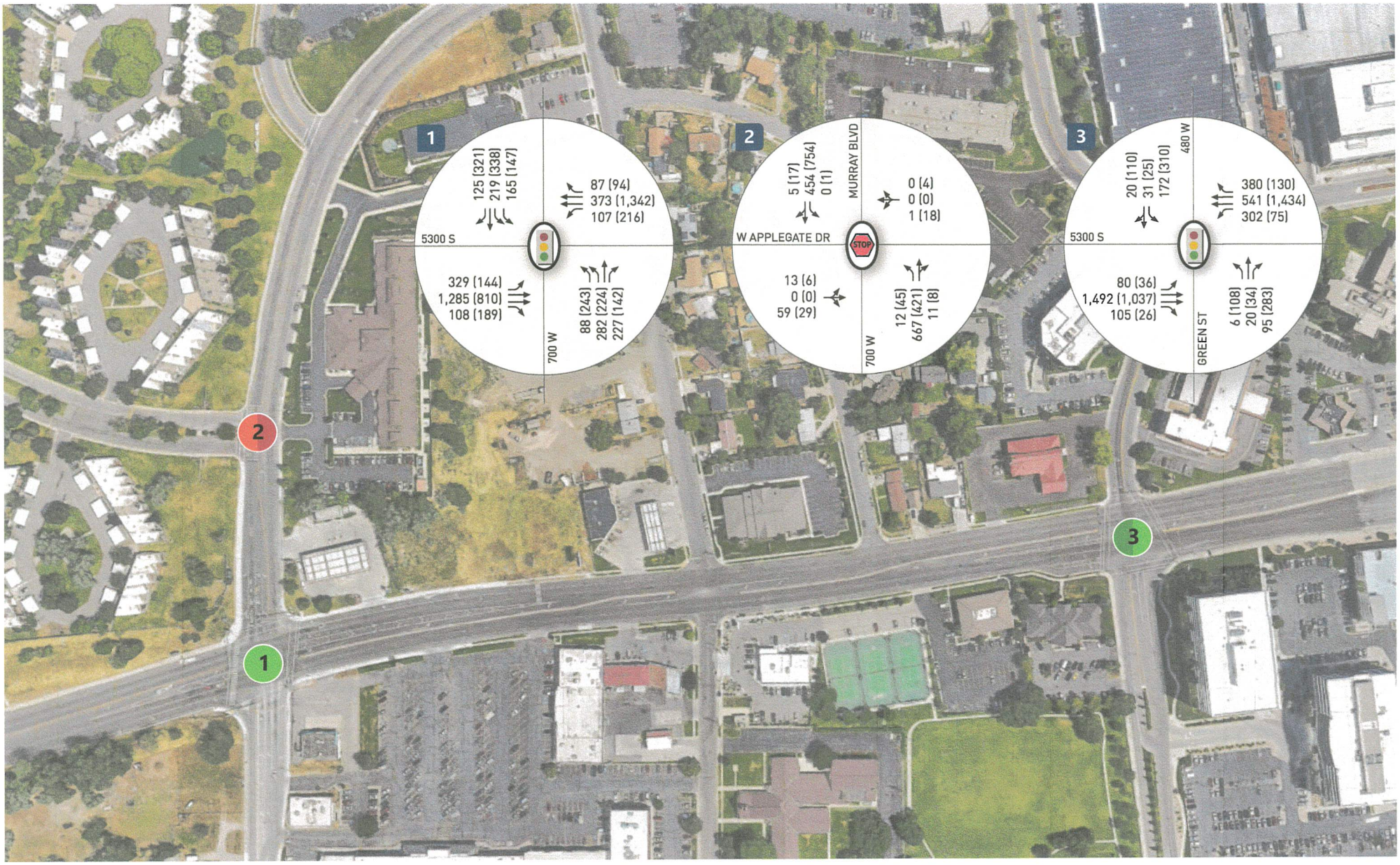
PURPOSE

The purpose of the existing (2019) conditions analysis is to study the intersections during the peak travel periods of the day under existing traffic and geometric conditions. Through this analysis, existing traffic operational deficiencies can be identified.

LEVEL OF SERVICE ANALYSIS

Existing AM and PM peak hour volumes as counted for this study are shown in **Figure 2**. Using Synchro software and the HCM 6 delay thresholds introduced above, the existing AM and PM peak hour LOS were computed for each study intersection (see **Appendix A** for detailed LOS reports). The results of this analysis are reported in **Table 2**.

As shown in **Table 2**, the study intersections at 5300 S & Murray Boulevard and at 5300 S and College Drive operate at acceptable delays and LOS (LOS D or better). The intersection at Applegate Drive & Murray Boulevard operates at LOS E and F in the AM and PM peak hours, respectively. This is caused by heavy through-movement volumes on Murray Boulevard which increase the delay for the side-street stop controlled left-turning vehicles. However, the intersection has "keep clear" striping to prevent the southbound queues at 5300 S & Murray Boulevard from blocking the intersection at Applegate Drive. During data collection, the southbound queue at 5300 S & Murray Boulevard was observed to occasionally extend back to Applegate drive, but when that would happen, the southbound drivers on Murray Boulevard allowed the side-street vehicles to turn onto Murray Boulevard with minimal delay. This is not captured in Synchro's analysis methodology, so the reported delay is likely overstated. Furthermore, the east and westbound queue lengths are contained on the minor street driveways.



Applegate Expansion Traffic Impact Study

LEGEND

Level of Service A B C D E F AM PM

AM (PM) Traffic Volumes XX (YY)

FEHR PEERS

Figure 2

Existing Conditions

TABLE 2 EXISTING CONDITIONS PEAK HOUR LEVEL OF SERVICE

Intersection				Worst Movement[1]			Overall Intersection	
ID	Location	Period	Control	Movement[3]	Delay (sec/veh)	LOS	Avg. Delay (sec/veh)[2]	LOS
1	Murray Boulevard & 5300 South (Signal)	AM	Signal	-	-	-	31	C
		PM		-	-	-	28	C
2	Murray Boulevard & Applegate Drive (Side Street Stop)	AM	EB/WB Stop	WB LT	36	E	< 5	A
		PM		WB LT	70	F	< 5	A
3	College Drive & 5300 South (Signal)	AM	Signal	-	-	-	13	B
		PM		-	-	-	29	C

1. This represents the worst movement LOS and delay (seconds/vehicle) and is only reported for unsignalized intersections.
2. This represents the overall intersection LOS and delay (seconds/vehicle).
3. NB=Northbound, SB=Southbound, EB=Eastbound, WB=Westbound, LT=Left-turn, RT=Right-turn, and TH=Through

Source: Fehr & Peers 2019.

PROJECT CONDITIONS

PURPOSE

The project conditions analysis explains the type and intensity of the proposed development in the study area. This analysis provides the basis for trip generation, distribution, and assignment of project trips to the surrounding study intersections defined in the Introduction.

PROPOSED DEVELOPMENT

The proposed Applegate Expansion will be located on Applegate Drive just northwest of the intersection at northwest of 5300 W & Murray Boulevard. The proposed expansion is composed of 48 total townhomes and will use the development's existing access on Applegate Drive & Murray Boulevard.

TRIP GENERATION

Trip generation for the project was computed using trip generation rates published in the Institute of Transportation Engineers (ITE) Trip Generation, 10th Edition, 2017. According to the ITE manual, the townhomes being built as part of this expansion classified as Multifamily Housing (Low-Rise), so the rates described for ITE Land use code 220 were used for trip generation. **Table 3** shows the AM and PM peak hour trip generation for the proposed Applegate Expansion.

TABLE 3 APPLEGATE EXPANSION TRIP GENERATION

Land Use[1]	Number of Units	Unit Type	AM Peak Hour Trip Generation[2]	% Entering[3]	% Exiting[3]	Trips Entering	Trips Exiting	**New AM Peak Hour Trips**
Multifamily Housing (220)	48	Dwelling Unit	24	23%	77%	5	19	**24**
Net Weekday AM Peak Hour Trips						**5**	**19**	**24**
Land Use[1]	Number of Units	Unit Type	PM Peak Hour Trip Generation[2]	% Entering[3]	% Exiting[3]	Trips Entering	Trips Exiting	**New PM Peak Hour Trips**
Multifamily Housing (220)	48	Dwelling Unit	31	63%	37%	19	12	**31**
Net Weekday PM Peak Hour Trips						**19**	**12**	**31**

1. (XXX) Indicates ITE Land Use Code. Land Use Code from the Institute of Transportation Engineers - 10th Edition Trip Generation Manual (ITE Manual)
2. Traffic Generated by the development according to trip generation rates provided in the ITE Manual
3. Percentage of trips Entering and Exiting the development according to the ITE Manual.

SOURCE: Fehr & Peers, 2019

TRIP DISTRIBUTION AND ASSIGNMENT

Project traffic was assigned to the roadway network based on the proximity to major streets and freeways, roadway network, high population densities, and regional trip attractions. Existing travel patterns observed during data collection also provided helpful guidance to establish these distribution percentages, especially in close proximity to the site.

The project-generated trips were distributed to and from these directions in the corresponding percentages:

- 20% North (using Murray Boulevard)
- 20% West (using 5300 South)
- 35% East (using 5300 South)
- 25% South (using Murray Boulevard)

These trip distribution assumptions were used to distribute project generated traffic to the study area intersections for existing plus project conditions, as shown in **Figure 3**.

Applegate Expansion Traffic Impact Study

LEGEND

AM (PM) Traffic Volumes XX (YY)

FEHR PEERS

Figure 3

Project Volumes

EXISTING PLUS PROJECT CONDITIONS

PURPOSE

The purpose of the existing plus project analysis is to evaluate the impact of the proposed development after completion on the study intersections and roadways. In order to analyze this impact, the existing weekday AM and PM peak hour traffic volumes were combined with volumes generated by the proposed project for the AM and PM peak hour. Intersection LOS analyses were then performed to show the impact of the proposed development.

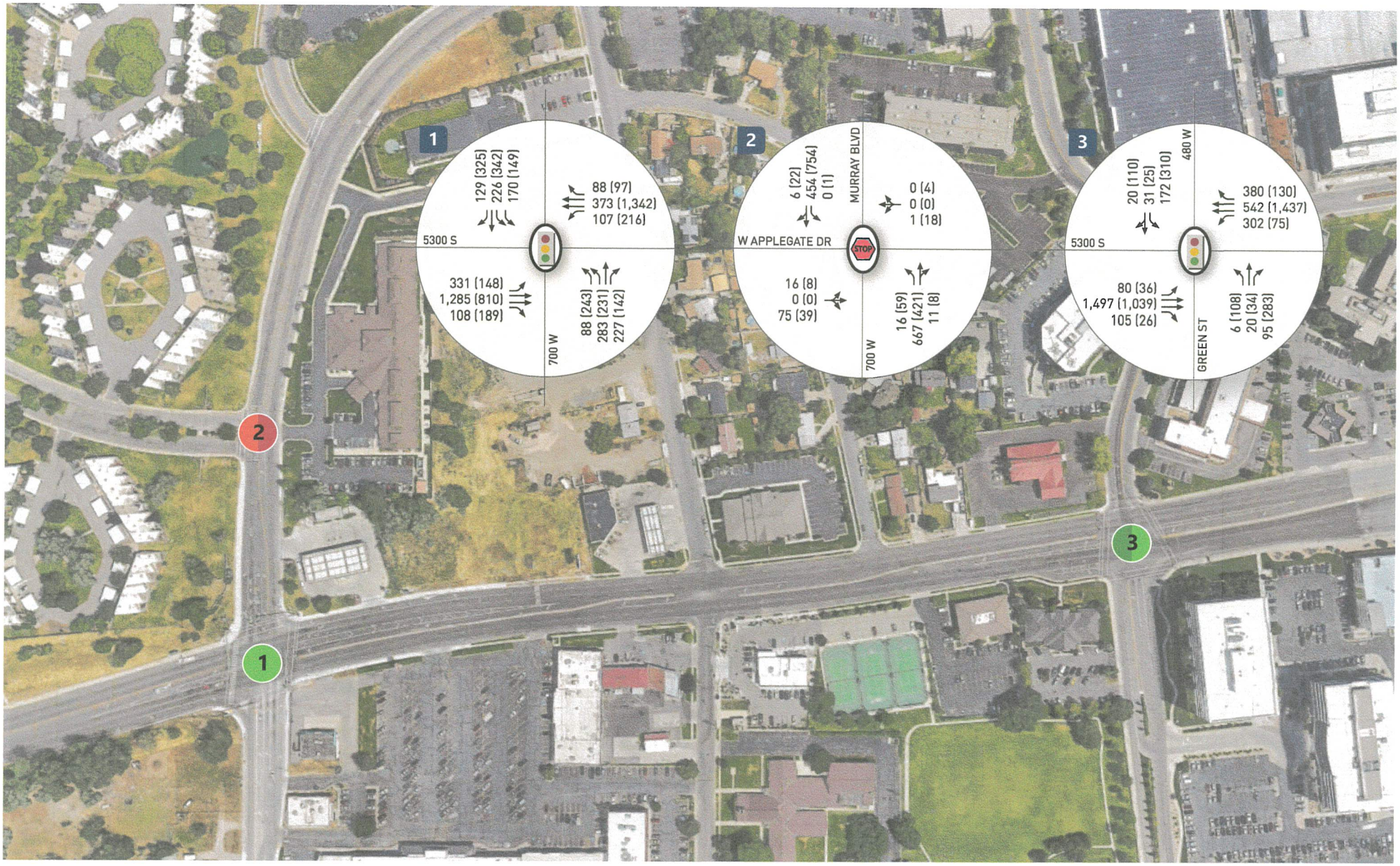
TRAFFIC VOLUMES

In order to evaluate the impacts of the proposed development, project-generated traffic (**Figure 3**) was added to the existing AM and PM peak hour volumes (**Figure 2)** to yield "existing plus project" weekday peak hour traffic volumes at the study intersections. The resulting traffic volumes are displayed in **Figure 4**.

LEVEL OF SERVICE ANALYSIS

Using Synchro software and the HCM 6 delay thresholds introduced above in **Table 1**, the existing plus project AM and PM peak hour LOS were computed for each study intersection (see Appendix A for detailed LOS reports). The results of this analysis are reported in **Table 4**.

As shown in **Table 4**, all intersections continue to operate at the same LOS as in the existing conditions, with minor additions to the delay at Murray Boulevard & 5300 S and at Murray Boulevard & Applegate Drive. Similar to the existing conditions analysis, the Synchro analysis reports Murray Boulevard & Applegate Drive operating at LOS E and F in the AM and PM peak hours, respectively. Applegate Drive's delay in this scenario is likely overstated for the same reason as the existing conditions analysis: southbound vehicles along Murray Boulevard were observed to keep clear from the intersection at Applegate Drive as required by the keep clear striping along southbound Murray Boulevard. Furthermore, the east and westbound queue lengths are contained on the minor street driveways. It should also be noted that Rome Beauty Park is proposed to add a connection to Glendon Street, which would allow vehicles to turn onto Murray Boulevard to alleviate delay experienced at Applegate Drive and avoid the southbound queue on Murray Boulevard. Therefore, no mitigations are recommended for existing plus project conditions.



Applegate Expansion Traffic Impact Study

FEHR PEERS

Figure 4

Existing + Project Conditions

TABLE 4 EXISTING PLUS PROJECT CONDITIONS PEAK HOUR LEVEL OF SERVICE

Intersection				Worst Movement[1]			Overall Intersection	
ID	Location	Period	Control	Movement[3]	Delay (sec/veh)	LOS	Avg. Delay (sec/veh)[2]	LOS
1	Murray Boulevard & 5300 South (Signal)	AM	Signal	-	-	-	31	C
		PM		-	-	-	29	C
2	Murray Boulevard & Applegate Drive (Side Street Stop)	AM	EB/WB Stop	WB LT	37	E	< 5	A
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		PM		-	-	-	29	C

1. This represents the worst movement LOS and delay (seconds/vehicle) and is only reported for unsignalized intersections.
2. This represents the overall intersection LOS and delay (seconds/vehicle).
3. NB=Northbound, SB=Southbound, EB=Eastbound, WB=Westbound, LT=Left-turn, RT=Right-turn, and TH=Through

Source: Fehr & Peers 2019.

CONCLUSION

The analysis has shown that traffic generated by the proposed Applegate Expansion will have minimal impacts to the existing conditions in the study area. No mitigations are recommended at this study area.

APPENDIX A
SYNCHRO REPORTS

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	329	1285	108	107	373	87	88	282	227	165	219	125
Future Volume (veh/h)	329	1285	108	107	373	87	88	282	227	165	219	125
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		0.97	1.00		0.97	1.00		0.99	1.00		0.98
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	358	1397	50	116	405	34	96	307	100	179	238	24
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	662	1761	759	216	1504	652	307	352	295	235	313	260
Arrive On Green	0.13	0.50	0.50	0.11	0.85	0.85	0.09	0.19	0.19	0.07	0.17	0.17
Sat Flow, veh/h	1781	3554	1533	1781	3554	1539	3456	1870	1570	3456	1870	1557
Grp Volume(v), veh/h	358	1397	50	116	405	34	96	307	100	179	238	24
Grp Sat Flow(s),veh/h/ln	1781	1777	1533	1781	1777	1539	1728	1870	1570	1728	1870	1557
Q Serve(g_s), s	13.1	39.2	1.3	4.4	2.7	0.3	3.1	19.1	5.4	6.1	14.6	1.1
Cycle Q Clear(g_c), s	13.1	39.2	1.3	4.4	2.7	0.3	3.1	19.1	5.4	6.1	14.6	1.1
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	662	1761	759	216	1504	652	307	352	295	235	313	260
V/C Ratio(X)	0.54	0.79	0.07	0.54	0.27	0.05	0.31	0.87	0.34	0.76	0.76	0.09
Avail Cap(c_a), veh/h	662	1761	759	271	1504	652	307	405	340	389	468	389
HCM Platoon Ratio	1.00	1.00	1.00	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	0.94	0.94	0.94	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	14.4	25.2	6.4	21.9	5.5	2.7	51.2	47.3	27.8	55.0	47.7	22.5
Incr Delay (d2), s/veh	0.5	3.8	0.2	0.7	0.4	0.1	0.2	15.4	0.3	1.9	1.7	0.1
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	5.1	16.4	0.7	1.7	1.0	0.2	1.4	10.3	2.5	2.7	6.9	0.6
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	14.9	28.9	6.5	22.6	5.9	2.9	51.5	62.7	28.1	56.9	49.4	22.6
LnGrp LOS	B	C	A	C	A	A	D	E	C	E	D	C
Approach Vol, veh/h		1805			555			503			441	
Approach Delay, s/veh		25.5			9.2			53.7			51.0	
Approach LOS		C			A			D			D	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	20.0	56.8	13.6	29.6	11.3	65.5	16.1	27.1
Change Period (Y+Rc), s	5.0	6.0	5.5	7.0	5.0	6.0	5.5	7.0
Max Green Setting (Gmax), s	15.0	42.0	13.5	26.0	10.0	47.0	9.5	30.0
Max Q Clear Time (g_c+I1), s	15.1	4.7	8.1	21.1	6.4	41.2	5.1	16.6
Green Ext Time (p_c), s	0.0	0.9	0.1	0.3	0.0	2.3	0.0	0.4

Intersection Summary	
HCM 6th Ctrl Delay	30.5
HCM 6th LOS	C

Notes

User approved pedestrian interval to be less than phase max green.

Intersection	
Int Delay, s/veh	1

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	13	0	59	1	0	0	12	667	11	0	454	5
Future Vol, veh/h	13	0	59	1	0	0	12	667	11	0	454	5
Conflicting Peds, #/hr	1	0	1	1	0	1	1	0	1	1	0	1
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	50	-	-	-	50	-	-	50	-	20
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	90	90	90	90	90	90	90	90	90	90	90	90
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	14	0	66	1	0	0	13	741	12	0	504	6

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1279	1285	506	1315	1285	749	511	0	0	754	0	0
Stage 1	505	505	-	774	774	-	-	-	-	-	-	-
Stage 2	774	780	-	541	511	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	143	165	566	135	165	412	1054	-	-	856	-	-
Stage 1	549	540	-	391	408	-	-	-	-	-	-	-
Stage 2	391	406	-	525	537	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	141	163	565	118	163	411	1053	-	-	855	-	-
Mov Cap-2 Maneuver	141	163	-	118	163	-	-	-	-	-	-	-
Stage 1	542	539	-	386	403	-	-	-	-	-	-	-
Stage 2	386	401	-	464	536	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	16	35.8	0.1	0
HCM LOS	C	E		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	EBLn2	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1053	-	-	141	565	118	855	-	-
HCM Lane V/C Ratio	0.013	-	-	0.102	0.116	0.009	-	-	-
HCM Control Delay (s)	8.5	-	-	33.4	12.2	35.8	0	-	-
HCM Lane LOS	A	-	-	D	B	E	A	-	-
HCM 95th %tile Q(veh)	0	-	-	0.3	0.4	0	0	-	-

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	80	1492	105	302	541	380	6	20	95	172	31	20
Future Volume (veh/h)	80	1492	105	302	541	380	6	20	95	172	31	20
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		0.98	1.00		0.97	0.95		0.97	0.99		0.98
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	92	1715	38	347	622	343	7	23	32	198	36	2
Peak Hour Factor	0.87	0.87	0.87	0.87	0.87	0.87	0.87	0.87	0.87	0.87	0.87	0.87
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	422	1964	860	388	2084	944	158	118	97	277	241	13
Arrive On Green	0.08	1.00	1.00	0.10	0.61	0.61	0.01	0.06	0.06	0.08	0.14	0.14
Sat Flow, veh/h	1781	3554	1556	1781	3404	1542	1781	1870	1531	1781	1753	97
Grp Volume(v), veh/h	92	1715	38	347	622	343	7	23	32	198	0	38
Grp Sat Flow(s),veh/h/ln	1781	1777	1556	1781	1702	1542	1781	1870	1531	1781	0	1850
Q Serve(g_s), s	2.7	0.0	0.0	9.6	10.4	13.3	0.4	1.4	2.4	10.0	0.0	2.2
Cycle Q Clear(g_c), s	2.7	0.0	0.0	9.6	10.4	13.3	0.4	1.4	2.4	10.0	0.0	2.2
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		0.05
Lane Grp Cap(c), veh/h	422	1964	860	388	2084	944	158	118	97	277	0	255
V/C Ratio(X)	0.22	0.87	0.04	0.89	0.30	0.36	0.04	0.19	0.33	0.71	0.00	0.15
Avail Cap(c_a), veh/h	574	1964	860	464	2084	944	291	277	227	277	0	265
HCM Platoon Ratio	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	0.52	0.52	0.52	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	1.00
Uniform Delay (d), s/veh	10.3	0.0	0.0	13.2	11.0	11.6	51.9	53.3	53.8	48.1	0.0	45.5
Incr Delay (d2), s/veh	0.0	3.1	0.1	15.8	0.4	1.1	0.0	0.3	0.7	7.3	0.0	0.1
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	1.0	0.8	0.0	5.0	3.8	4.5	0.2	0.7	1.0	1.5	0.0	1.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	10.3	3.1	0.1	29.0	11.4	12.7	51.9	53.6	54.5	55.4	0.0	45.6
LnGrp LOS	B	A	A	C	B	B	D	D	D	E	A	D
Approach Vol, veh/h		1845			1312			62			236	
Approach Delay, s/veh		3.4			16.4			53.9			53.9	
Approach LOS		A			B			D			D	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	9.8	79.9	15.0	15.4	16.9	72.7	6.0	24.3
Change Period (Y+Rc), s	5.0	6.4	5.0	* 7.8	5.0	6.4	5.0	* 7.8
Max Green Setting (Gmax), s	15.0	53.6	10.0	* 18	17.0	51.6	10.0	* 17
Max Q Clear Time (g_c+I1), s	4.7	15.3	12.0	4.4	11.6	2.0	2.4	4.2
Green Ext Time (p_c), s	0.1	2.4	0.0	0.0	0.3	5.7	0.0	0.0

Intersection Summary	
HCM 6th Ctrl Delay	12.7
HCM 6th LOS	B

Notes

User approved pedestrian interval to be less than phase max green.

* HCM 6th computational engine requires equal clearance times for the phases crossing the barrier.

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	144	810	189	216	1342	94	243	224	142	147	338	321
Future Volume (veh/h)	144	810	189	216	1342	94	243	224	142	147	338	321
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		0.96	1.00		0.98	1.00		0.99	1.00		0.97
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	148	835	84	223	1384	39	251	231	18	152	348	180
Peak Hour Factor	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	267	1480	631	367	1580	694	274	307	258	456	405	335
Arrive On Green	0.06	0.42	0.42	0.18	0.89	0.89	0.08	0.16	0.16	0.13	0.22	0.22
Sat Flow, veh/h	1781	3554	1515	1781	3554	1560	3456	1870	1571	3456	1870	1543
Grp Volume(v), veh/h	148	835	84	223	1384	39	251	231	18	152	348	180
Grp Sat Flow(s),veh/h/ln	1781	1777	1515	1781	1777	1560	1728	1870	1571	1728	1870	1543
Q Serve(g_s), s	5.7	21.5	2.9	8.8	23.4	0.2	8.7	14.1	0.9	4.8	21.5	9.8
Cycle Q Clear(g_c), s	5.7	21.5	2.9	8.8	23.4	0.2	8.7	14.1	0.9	4.8	21.5	9.8
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	267	1480	631	367	1580	694	274	307	258	456	405	335
V/C Ratio(X)	0.55	0.56	0.13	0.61	0.88	0.06	0.92	0.75	0.07	0.33	0.86	0.54
Avail Cap(c_a), veh/h	302	1480	631	501	1580	694	274	468	393	456	468	386
HCM Platoon Ratio	1.00	1.00	1.00	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	0.48	0.48	0.48	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	20.4	26.7	10.6	17.5	5.0	1.3	54.9	47.8	25.2	47.3	45.2	26.1
Incr Delay (d2), s/veh	0.7	1.6	0.4	0.3	3.6	0.1	32.9	1.4	0.0	0.2	12.0	0.5
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	2.3	9.1	1.5	2.9	3.1	0.1	5.0	6.6	0.5	2.1	11.2	3.6
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	21.1	28.3	11.0	17.8	8.6	1.4	87.8	49.3	25.2	47.4	57.2	26.6
LnGrp LOS	C	C	B	B	A	A	F	D	C	D	E	C
Approach Vol, veh/h		1067			1646			500			680	
Approach Delay, s/veh		25.9			9.7			67.7			46.9	
Approach LOS		C			A			E			D	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	12.6	59.3	21.3	26.7	16.0	56.0	15.0	33.0
Change Period (Y+Rc), s	5.0	6.0	5.5	7.0	5.0	6.0	5.5	7.0
Max Green Setting (Gmax), s	10.0	47.0	9.5	30.0	20.0	37.0	9.5	30.0
Max Q Clear Time (g_c+I1), s	7.7	25.4	6.8	16.1	10.8	23.5	10.7	23.5
Green Ext Time (p_c), s	0.0	3.9	0.0	0.4	0.2	1.9	0.0	0.5

Intersection Summary	
HCM 6th Ctrl Delay	28.1
HCM 6th LOS	C

Notes

User approved pedestrian interval to be less than phase max green.

Intersection	
Int Delay, s/veh	2.2

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	6	0	29	18	0	4	45	421	8	1	754	17
Future Vol, veh/h	6	0	29	18	0	4	45	421	8	1	754	17
Conflicting Peds, #/hr	3	0	2	1	0	2	2	0	1	2	0	3
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	50	-	-	-	50	-	-	50	-	20
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	80	80	80	80	80	80	80	80	80	80	80	80
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	8	0	36	23	0	5	56	526	10	1	943	21

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1597	1598	948	1621	1614	536	967	0	0	538	0	0
Stage 1	948	948	-	645	645	-	-	-	-	-	-	-
Stage 2	649	650	-	976	969	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	86	106	316	83	104	545	712	-	-	1030	-	-
Stage 1	313	339	-	461	467	-	-	-	-	-	-	-
Stage 2	458	465	-	302	332	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	80	97	314	69	95	542	710	-	-	1028	-	-
Mov Cap-2 Maneuver	80	97	-	69	95	-	-	-	-	-	-	-
Stage 1	287	338	-	424	429	-	-	-	-	-	-	-
Stage 2	417	427	-	266	331	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	24.3	69.6	1	0
HCM LOS	C	F		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	EBLn2	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	710	-	-	80	314	82	1028	-	-
HCM Lane V/C Ratio	0.079	-	-	0.094	0.115	0.335	0.001	-	-
HCM Control Delay (s)	10.5	-	-	54.6	18	69.6	8.5	-	-
HCM Lane LOS	B	-	-	F	C	F	A	-	-
HCM 95th %tile Q(veh)	0.3	-	-	0.3	0.4	1.3	0	-	-

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	36	1037	26	75	1434	130	108	34	283	310	25	110
Future Volume (veh/h)	36	1037	26	75	1434	130	108	34	283	310	25	110
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		0.98	1.00		0.97	0.99		0.98	1.00		0.99
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	47	1347	9	97	1862	159	140	44	184	403	32	43
Peak Hour Factor	0.77	0.77	0.77	0.77	0.77	0.77	0.77	0.77	0.77	0.77	0.77	0.77
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	164	1825	800	339	2493	212	367	254	211	385	116	155
Arrive On Green	0.07	1.00	1.00	0.04	0.52	0.52	0.08	0.14	0.14	0.11	0.16	0.16
Sat Flow, veh/h	1781	3554	1559	1781	4782	406	1781	1870	1553	1781	718	964
Grp Volume(v), veh/h	47	1347	9	97	1323	698	140	44	184	403	0	75
Grp Sat Flow(s),veh/h/ln	1781	1777	1559	1781	1702	1784	1781	1870	1553	1781	0	1682
Q Serve(g_s), s	1.5	0.0	0.0	3.1	36.5	36.9	8.0	2.5	13.9	13.0	0.0	4.7
Cycle Q Clear(g_c), s	1.5	0.0	0.0	3.1	36.5	36.9	8.0	2.5	13.9	13.0	0.0	4.7
Prop In Lane	1.00		1.00	1.00		0.23	1.00		1.00	1.00		0.57
Lane Grp Cap(c), veh/h	164	1825	800	339	1775	930	367	254	211	385	0	271
V/C Ratio(X)	0.29	0.74	0.01	0.29	0.75	0.75	0.38	0.17	0.87	1.05	0.00	0.28
Avail Cap(c_a), veh/h	254	1825	800	415	1775	930	412	277	230	385	0	271
HCM Platoon Ratio	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	0.83	0.83	0.83	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	1.00
Uniform Delay (d), s/veh	18.9	0.0	0.0	12.6	22.5	22.6	39.8	45.9	50.9	46.2	0.0	44.2
Incr Delay (d2), s/veh	0.3	2.3	0.0	0.2	2.9	5.5	0.2	0.1	25.7	58.9	0.0	0.2
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.6	0.6	0.0	1.2	14.4	15.9	3.6	1.2	7.0	11.7	0.0	2.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	19.2	2.3	0.0	12.8	25.4	28.1	40.0	46.0	76.5	105.1	0.0	44.4
LnGrp LOS	B	A	A	B	C	C	D	D	E	F	A	D
Approach Vol, veh/h		1403			2118			368			478	
Approach Delay, s/veh		2.8			25.7			59.0			95.6	
Approach LOS		A			C			E			F	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	9.0	69.0	18.0	24.1	9.9	68.0	15.0	27.1
Change Period (Y+Rc), s	5.0	6.4	5.0	* 7.8	5.0	6.4	5.0	* 7.8
Max Green Setting (Gmax), s	10.0	55.6	13.0	* 18	10.0	55.6	13.0	* 17
Max Q Clear Time (g_c+I1), s	3.5	38.9	15.0	15.9	5.1	2.0	10.0	6.7
Green Ext Time (p_c), s	0.0	5.3	0.0	0.0	0.0	3.9	0.1	0.1

Intersection Summary	
HCM 6th Ctrl Delay	28.8
HCM 6th LOS	C

Notes

User approved pedestrian interval to be less than phase max green.

* HCM 6th computational engine requires equal clearance times for the phases crossing the barrier.

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	331	1285	108	107	373	88	88	283	227	170	226	129
Future Volume (veh/h)	331	1285	108	107	373	88	88	283	227	170	226	129
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		0.97	1.00		0.97	1.00		0.99	1.00		0.98
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	360	1397	50	116	405	35	96	308	100	185	246	28
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	659	1752	756	215	1497	648	303	352	296	241	319	265
Arrive On Green	0.13	0.49	0.49	0.11	0.84	0.84	0.09	0.19	0.19	0.07	0.17	0.17
Sat Flow, veh/h	1781	3554	1533	1781	3554	1539	3456	1870	1570	3456	1870	1557
Grp Volume(v), veh/h	360	1397	50	116	405	35	96	308	100	185	246	28
Grp Sat Flow(s),veh/h/ln	1781	1777	1533	1781	1777	1539	1728	1870	1570	1728	1870	1557
Q Serve(g_s), s	13.3	39.4	1.3	4.5	2.8	0.3	3.1	19.2	5.4	6.3	15.1	1.3
Cycle Q Clear(g_c), s	13.3	39.4	1.3	4.5	2.8	0.3	3.1	19.2	5.4	6.3	15.1	1.3
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	659	1752	756	215	1497	648	303	352	296	241	319	265
V/C Ratio(X)	0.55	0.80	0.07	0.54	0.27	0.05	0.32	0.87	0.34	0.77	0.77	0.11
Avail Cap(c_a), veh/h	659	1752	756	269	1497	648	303	405	340	389	468	389
HCM Platoon Ratio	1.00	1.00	1.00	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	0.94	0.94	0.94	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	14.5	25.4	6.5	22.1	5.7	2.8	51.4	47.3	27.8	54.9	47.5	22.3
Incr Delay (d2), s/veh	0.5	3.9	0.2	0.7	0.4	0.1	0.2	15.6	0.2	2.0	2.4	0.1
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	5.1	16.6	0.7	1.7	1.0	0.2	1.4	10.3	2.5	2.8	7.2	0.7
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	15.1	29.3	6.7	22.8	6.1	3.0	51.6	62.9	28.0	56.8	49.9	22.4
LnGrp LOS	B	C	A	C	A	A	D	E	C	E	D	C
Approach Vol, veh/h		1807			556			504			459	
Approach Delay, s/veh		25.8			9.4			53.8			51.0	
Approach LOS		C			A			D			D	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	20.0	56.5	13.9	29.6	11.4	65.2	16.0	27.4
Change Period (Y+Rc), s	5.0	6.0	5.5	7.0	5.0	6.0	5.5	7.0
Max Green Setting (Gmax), s	15.0	42.0	13.5	26.0	10.0	47.0	9.5	30.0
Max Q Clear Time (g_c+I1), s	15.3	4.8	8.3	21.2	6.5	41.4	5.1	17.1
Green Ext Time (p_c), s	0.0	0.9	0.1	0.3	0.0	2.3	0.0	0.4

Intersection Summary	
HCM 6th Ctrl Delay	30.8
HCM 6th LOS	C

Notes

User approved pedestrian interval to be less than phase max green.

Intersection	
Int Delay, s/veh	1.3

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	16	0	75	1	0	0	16	667	11	0	454	6
Future Vol, veh/h	16	0	75	1	0	0	16	667	11	0	454	6
Conflicting Peds, #/hr	1	0	1	1	0	1	1	0	1	1	0	1
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	50	-	-	-	50	-	-	50	-	20
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	90	90	90	90	90	90	90	90	90	90	90	90
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	18	0	83	1	0	0	18	741	12	0	504	7

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1289	1295	506	1334	1296	749	512	0	0	754	0	0
Stage 1	505	505	-	784	784	-	-	-	-	-	-	-
Stage 2	784	790	-	550	512	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	141	162	566	131	162	412	1053	-	-	856	-	-
Stage 1	549	540	-	386	404	-	-	-	-	-	-	-
Stage 2	386	402	-	519	536	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	139	159	565	110	159	411	1052	-	-	855	-	-
Mov Cap-2 Maneuver	139	159	-	110	159	-	-	-	-	-	-	-
Stage 1	539	539	-	379	397	-	-	-	-	-	-	-
Stage 2	379	395	-	442	535	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	16.4	38.1	0.2	0
HCM LOS	C	E		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	EBLn2	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1052	-	-	139	565	110	855	-	-
HCM Lane V/C Ratio	0.017	-	-	0.128	0.147	0.01	-	-	-
HCM Control Delay (s)	8.5	-	-	34.7	12.5	38.1	0	-	-
HCM Lane LOS	A	-	-	D	B	E	A	-	-
HCM 95th %tile Q(veh)	0.1	-	-	0.4	0.5	0	0	-	-

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	80	1497	105	302	542	380	6	20	95	172	31	20
Future Volume (veh/h)	80	1497	105	302	542	380	6	20	95	172	31	20
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		0.98	1.00		0.97	0.95		0.97	0.99		0.98
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	92	1721	38	347	623	343	7	23	32	198	36	2
Peak Hour Factor	0.87	0.87	0.87	0.87	0.87	0.87	0.87	0.87	0.87	0.87	0.87	0.87
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	422	1964	860	387	2084	944	158	118	97	277	241	13
Arrive On Green	0.08	1.00	1.00	0.10	0.61	0.61	0.01	0.06	0.06	0.08	0.14	0.14
Sat Flow, veh/h	1781	3554	1556	1781	3404	1542	1781	1870	1531	1781	1753	97
Grp Volume(v), veh/h	92	1721	38	347	623	343	7	23	32	198	0	38
Grp Sat Flow(s),veh/h/ln	1781	1777	1556	1781	1702	1542	1781	1870	1531	1781	0	1850
Q Serve(g_s), s	2.7	0.0	0.0	9.6	10.4	13.3	0.4	1.4	2.4	10.0	0.0	2.2
Cycle Q Clear(g_c), s	2.7	0.0	0.0	9.6	10.4	13.3	0.4	1.4	2.4	10.0	0.0	2.2
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		0.05
Lane Grp Cap(c), veh/h	422	1964	860	387	2084	944	158	118	97	277	0	255
V/C Ratio(X)	0.22	0.88	0.04	0.90	0.30	0.36	0.04	0.19	0.33	0.71	0.00	0.15
Avail Cap(c_a), veh/h	574	1964	860	463	2084	944	291	277	227	277	0	265
HCM Platoon Ratio	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	0.52	0.52	0.52	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	1.00
Uniform Delay (d), s/veh	10.3	0.0	0.0	13.3	11.0	11.6	51.9	53.3	53.8	48.1	0.0	45.5
Incr Delay (d2), s/veh	0.0	3.2	0.1	16.1	0.4	1.1	0.0	0.3	0.7	7.3	0.0	0.1
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	1.0	0.9	0.0	5.1	3.8	4.5	0.2	0.7	1.0	1.5	0.0	1.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	10.3	3.2	0.1	29.4	11.4	12.7	51.9	53.6	54.5	55.4	0.0	45.6
LnGrp LOS	B	A	A	C	B	B	D	D	D	E	A	D
Approach Vol, veh/h		1851			1313			62			236	
Approach Delay, s/veh		3.5			16.5			53.9			53.9	
Approach LOS		A			B			D			D	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	9.8	79.9	15.0	15.4	16.9	72.7	6.0	24.3
Change Period (Y+Rc), s	5.0	6.4	5.0	* 7.8	5.0	6.4	5.0	* 7.8
Max Green Setting (Gmax), s	15.0	53.6	10.0	* 18	17.0	51.6	10.0	* 17
Max Q Clear Time (g_c+I1), s	4.7	15.3	12.0	4.4	11.6	2.0	2.4	4.2
Green Ext Time (p_c), s	0.1	2.4	0.0	0.0	0.3	5.8	0.0	0.0

Intersection Summary	
HCM 6th Ctrl Delay	12.8
HCM 6th LOS	B

Notes

User approved pedestrian interval to be less than phase max green.

* HCM 6th computational engine requires equal clearance times for the phases crossing the barrier.

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	148	810	189	216	1342	97	243	231	142	149	342	325
Future Volume (veh/h)	148	810	189	216	1342	97	243	231	142	149	342	325
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		0.96	1.00		0.98	1.00		0.99	1.00		0.97
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	153	835	84	223	1384	42	251	238	18	154	353	184
Peak Hour Factor	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	264	1472	628	366	1567	688	274	311	262	454	409	337
Arrive On Green	0.07	0.41	0.41	0.18	0.88	0.88	0.08	0.17	0.17	0.13	0.22	0.22
Sat Flow, veh/h	1781	3554	1515	1781	3554	1560	3456	1870	1571	3456	1870	1544
Grp Volume(v), veh/h	153	835	84	223	1384	42	251	238	18	154	353	184
Grp Sat Flow(s),veh/h/ln	1781	1777	1515	1781	1777	1560	1728	1870	1571	1728	1870	1544
Q Serve(g_s), s	5.9	21.6	2.9	8.9	25.0	0.2	8.7	14.6	0.9	4.9	21.8	10.0
Cycle Q Clear(g_c), s	5.9	21.6	2.9	8.9	25.0	0.2	8.7	14.6	0.9	4.9	21.8	10.0
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	264	1472	628	366	1567	688	274	311	262	454	409	337
V/C Ratio(X)	0.58	0.57	0.13	0.61	0.88	0.06	0.92	0.76	0.07	0.34	0.86	0.55
Avail Cap(c_a), veh/h	296	1472	628	499	1567	688	274	468	393	454	468	386
HCM Platoon Ratio	1.00	1.00	1.00	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	0.48	0.48	0.48	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	21.1	26.9	10.7	17.7	5.4	1.4	54.9	47.8	25.0	47.4	45.2	25.8
Incr Delay (d2), s/veh	1.0	1.6	0.4	0.3	3.9	0.1	32.9	1.8	0.0	0.2	12.7	0.5
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	2.4	9.2	1.5	3.0	3.3	0.2	5.0	6.9	0.5	2.1	11.4	3.7
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	22.1	28.5	11.2	18.0	9.3	1.5	87.8	49.5	25.0	47.6	57.8	26.4
LnGrp LOS	C	C	B	B	A	A	F	D	C	D	E	C
Approach Vol, veh/h		1072			1649			507			691	
Approach Delay, s/veh		26.2			10.3			67.6			47.2	
Approach LOS		C			B			E			D	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	12.9	58.9	21.2	27.0	16.1	55.7	15.0	33.2
Change Period (Y+Rc), s	5.0	6.0	5.5	7.0	5.0	6.0	5.5	7.0
Max Green Setting (Gmax), s	10.0	47.0	9.5	30.0	20.0	37.0	9.5	30.0
Max Q Clear Time (g_c+I1), s	7.9	27.0	6.9	16.6	10.9	23.6	10.7	23.8
Green Ext Time (p_c), s	0.0	3.8	0.0	0.4	0.2	1.9	0.0	0.5

Intersection Summary	
HCM 6th Ctrl Delay	28.6
HCM 6th LOS	C

Notes

User approved pedestrian interval to be less than phase max green.

Intersection	
Int Delay, s/veh	2.8

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	8	0	39	18	0	4	59	421	8	1	754	22
Future Vol, veh/h	8	0	39	18	0	4	59	421	8	1	754	22
Conflicting Peds, #/hr	3	0	2	1	0	2	2	0	1	2	0	3
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	50	-	-	-	50	-	-	50	-	20
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	80	80	80	80	80	80	80	80	80	80	80	80
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	10	0	49	23	0	5	74	526	10	1	943	28

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1633	1634	948	1667	1657	536	974	0	0	538	0	0
Stage 1	948	948	-	681	681	-	-	-	-	-	-	-
Stage 2	685	686	-	986	976	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	81	101	316	77	98	545	708	-	-	1030	-	-
Stage 1	313	339	-	440	450	-	-	-	-	-	-	-
Stage 2	438	448	-	298	329	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	73	90	314	60	87	542	706	-	-	1028	-	-
Mov Cap-2 Maneuver	73	90	-	60	87	-	-	-	-	-	-	-
Stage 1	280	338	-	393	402	-	-	-	-	-	-	-
Stage 2	387	400	-	251	328	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	26	83.1	1.3	0
HCM LOS	D	F		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	EBLn2	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	706	-	-	73	314	72	1028	-	-
HCM Lane V/C Ratio	0.104	-	-	0.137	0.155	0.382	0.001	-	-
HCM Control Delay (s)	10.7	-	-	62	18.6	83.1	8.5	-	-
HCM Lane LOS	B	-	-	F	C	F	A	-	-
HCM 95th %tile Q(veh)	0.3	-	-	0.5	0.5	1.5	0	-	-

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	36	1039	26	75	1437	130	108	34	283	310	25	110
Future Volume (veh/h)	36	1039	26	75	1437	130	108	34	283	310	25	110
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		0.98	1.00		0.97	0.99		0.98	1.00		0.99
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	47	1349	9	97	1866	159	140	44	184	403	32	43
Peak Hour Factor	0.77	0.77	0.77	0.77	0.77	0.77	0.77	0.77	0.77	0.77	0.77	0.77
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	163	1825	800	339	2494	211	367	254	211	385	116	155
Arrive On Green	0.07	1.00	1.00	0.04	0.52	0.52	0.08	0.14	0.14	0.11	0.16	0.16
Sat Flow, veh/h	1781	3554	1559	1781	4783	406	1781	1870	1553	1781	718	964
Grp Volume(v), veh/h	47	1349	9	97	1325	700	140	44	184	403	0	75
Grp Sat Flow(s),veh/h/ln	1781	1777	1559	1781	1702	1784	1781	1870	1553	1781	0	1682
Q Serve(g_s), s	1.5	0.0	0.0	3.1	36.6	37.0	8.0	2.5	13.9	13.0	0.0	4.7
Cycle Q Clear(g_c), s	1.5	0.0	0.0	3.1	36.6	37.0	8.0	2.5	13.9	13.0	0.0	4.7
Prop In Lane	1.00		1.00	1.00		0.23	1.00		1.00	1.00		0.57
Lane Grp Cap(c), veh/h	163	1825	800	339	1775	930	367	254	211	385	0	271
V/C Ratio(X)	0.29	0.74	0.01	0.29	0.75	0.75	0.38	0.17	0.87	1.05	0.00	0.28
Avail Cap(c_a), veh/h	253	1825	800	414	1775	930	412	277	230	385	0	271
HCM Platoon Ratio	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	0.83	0.83	0.83	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	1.00
Uniform Delay (d), s/veh	18.9	0.0	0.0	12.6	22.5	22.6	39.8	45.9	50.9	46.2	0.0	44.2
Incr Delay (d2), s/veh	0.3	2.3	0.0	0.2	2.9	5.6	0.2	0.1	25.7	58.9	0.0	0.2
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.6	0.6	0.0	1.2	14.4	16.0	3.6	1.2	7.0	11.7	0.0	2.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	19.2	2.3	0.0	12.8	25.4	28.2	40.0	46.0	76.5	105.1	0.0	44.4
LnGrp LOS	B	A	A	B	C	C	D	D	E	F	A	D
Approach Vol, veh/h		1405			2122			368			478	
Approach Delay, s/veh		2.8			25.8			59.0			95.6	
Approach LOS		A			C			E			F	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	9.0	69.0	18.0	24.1	9.9	68.0	15.0	27.1
Change Period (Y+Rc), s	5.0	6.4	5.0	* 7.8	5.0	6.4	5.0	* 7.8
Max Green Setting (Gmax), s	10.0	55.6	13.0	* 18	10.0	55.6	13.0	* 17
Max Q Clear Time (g_c+I1), s	3.5	39.0	15.0	15.9	5.1	2.0	10.0	6.7
Green Ext Time (p_c), s	0.0	5.3	0.0	0.0	0.0	3.9	0.1	0.1

Intersection Summary	
HCM 6th Ctrl Delay	28.8
HCM 6th LOS	C

Notes

User approved pedestrian interval to be less than phase max green.

* HCM 6th computational engine requires equal clearance times for the phases crossing the barrier.

FEHR PEERS

Memorandum

Date:	July 20, 2022
To:	Quinn Millet, Wellsville Mtns LLC
CC:	Jake Christensen, Atlas Ventures
From:	Calvin Clark, Fehr & Peers Chris Bender, Fehr & Peers Preston Stinger, Fehr & Peers
Subject:	**Applegate Expansion TIS Update Phase 1**

UT22-2375

This memo summarizes the analyses performed for phase 1 of the Applegate Expansion TIS Update. Fehr & Peers performed the following tasks as part of this phase:

1. Reviewed the current Murray city code that outlines required accesses to the development,
2. Collected 24-hour traffic counts along Applegate Drive,
3. Performed a functional class analysis of Applegate Drive based on existing and existing plus project traffic volumes according to Murray's city guidelines,
4. Analyzed the proposed site plan included in the appendix to identify locations where on-street parking would be feasible along Applegate Drive.

Access Requirements

Fehr & Peers reviewed Murray's city code relating to access management for new developments. Murray City Code 16.16.090 (A) states:

> *All lots or parcels created by the subdivision of land, for single-family or two-family dwellings, including, without limiting, subdivisions, residential infill developments, and planned unit developments, shall abut a public street which is improved to standards established according to this chapter.*

Applegate Drive is currently operated as a private local road; however, the city code requires that all single-family or two-family dwellings abut a public road. As the current site plan includes attached townhomes in sections of three or more, Applegate Drive can accommodate this site plan while maintaining private ownership.

Murray City Code 16.16.170 (B.2) states:

> *Multiple-Family Dwellings: Any residential subdivision development of more than one hundred (100) multiple-family dwellings shall have access to and from at least two (2) existing or proposed streets.*

The Applegate community currently has more than 100 multifamily dwellings in the existing development, and therefore already requires a second street access. Although Applegate has not been required to retroactively meet this requirement, we anticipate that Murray will require that the entire development will need to meet this requirement if the proposed 50 new units in the Applegate expansion are constructed.

Fehr & Peers recommends coordinating with Murray city staff to provide a connection between Applegate Dr and 5160 South to create the second access to the community. To alleviate concerns of increased traffic on Applegate Dr from cut-through traffic from the neighborhood to the west accessing Murray Blvd / 700 West / 5300 S, a gate can be installed. It is important that the gate allow emergency vehicles to maintain access during an emergency in case Applegate Dr at Murray Blvd becomes inaccessible. Fehr & Peers does not anticipate that much traffic from Applegate Dr would use the access to 5160 South regularly, but the connection would provide an alternative for the small number of residents currently attempting to turn left from Applegate onto Murray Blvd but are currently experiencing moderately high delays. Fehr & Peers estimates that no more than 5% of traffic would divert to use the additional access under typical circumstances.

Data Collection

Fehr & Peers collected 24-hour traffic counts along Applegate Drive between Murray Boulevard and Ben Davis Park on Thursday, June 9, 2022, and on Saturday, June 11, 2022. The daily two-way traffic volumes counted on these days are presented in **Table 1**.

Table 1: Applegate Drive East of Ben Davis Park Daily Traffic Counts

Day	Westbound	Eastbound	Two-way
Thursday	468	474	942
Saturday	444	443	887

Source: Fehr & Peers.

As shown in the table, the two-way traffic volumes on both days were under 1,000 daily vehicles. Thursday was found to be the day with the highest observed traffic volumes during the data collection.

Functional Class Analysis

Murray Functional Class Requirements

Murray City's roadway classifications are based on "use, roadway geometry and traffic volume" (Murray City Access Management Standards, 2019). Murray City operates the following classifications:

- Minor Arterial (10,000-25,000 daily vehicles)
- Major Collector (3,500-10,000 daily vehicles)
- Minor Collector (1,500-3,500 daily vehicles)
- Local Street (less than 1,500 daily vehicles)

Murray engineering staff have specified that local streets can be sub-categorized into two classifications Local streets that serve 800-1,500 vehicle trips per day are considered "residential collector" streets, which functionally act as a bridge between smaller local streets and collector/arterial roads. Local streets that serve fewer than 800 vehicle trips per day are considered "minor local" streets.

Murray's standard drawings indicate that local streets require 49-60 feet of right-of-way with 25-35 feet of that being pavement. Murray engineering staff also stated that "residential collector" streets generally require the maximum right-of-way of 60 feet with 35 feet of pavement. Minor local streets typically require only the minimum right-of-way of 49 feet with 25 feet of pavement.

Daily Trip Generation

Fehr & Peers estimated the daily trips generated by the proposed Applegate expansion of 50 townhomes using the Institute of Transportation Engineers (ITE) *Trip Generation, 11th Edition* (2021) manual. The trip generation is shown in **Table 2**.

Table 2: Daily Trip Generation

ITE Land Use	Units	Daily Trips
215 – Single-Family Attached Housing	50	331

Source: Fehr & Peers.

Fehr & Peers approximated the total "existing plus project" daily two-way traffic along Applegate Drive east of Ben Davis Park by combining the existing daily traffic volumes from the day with the highest observed traffic volumes during our data collection (**Table 1**) with the daily trips to be generated by the proposed Applegate expansion (**Table 2**). Fehr & Peers did the same with the portion of Applegate Drive west of Rome Beauty Park, though existing two-way volumes were derived from the counts east of Ben Davis. Roughly 40% of current trip generators in the Applegate community access Applegate Drive west of Rome Beauty Park to enter/exit via the primary neighborhood entrance on Murray Blvd. A maximum of 5% of existing traffic are assumed to redirect from the current access to the western access. These estimates combine to give an upper estimate for Applegate Drive west of Rome Beauty Park of 45% of traffic counted on Applegate Drive east of Ben Davis Park

The two-way daily existing, two-way daily trip generation, and two-way plus project volumes are presented in **Table 3**. The table also includes Murray's functional classification type based on the traffic volume requirements of a minor local street (less than 800 vehicles) and a residential collector (between 800 vehicles and 1500 vehicles). As shown in the table, the existing volume of 942 daily vehicles and the existing plus project daily volume of 1,273 daily vehicles along Applegate Drive east of Ben Davis Park are both within Murray's functional classification requirement for a residential collector, which requires a pavement width of 35 feet, and a total right-of-way of 60 feet. Since the expected traffic west of Rome Beauty Park is less than 800 vehicles, Fehr & Peers recommends treating this section as a minor local street with a pavement width of 25 feet and a total right-of-way of 49 feet. Fehr & Peers recommends maintaining the greater width between the two sections, with the width of the road changing at the intersection of Rome Beauty Park.

Table 3: Applegate Drive Functional Class Analysis

Location	Two-way Existing Volumes	Two-way Project Volumes	Existing + Project Two-way Volumes	Murray Street Classification
East of Ben Davis Park	942	331	1,273	Residential Collector (60') – (<1,500 ADT)
West of Rome Beauty Park	424	331	755	Minor Local Street (49') – (<800 ADT)

Source: Fehr & Peers, 2022; Murray City Access Management Standards, 2019.

On-street Parking Analysis

Fehr & Peers reviewed recommended parking dimensions from the Urban Land Institute's (ULI) *Dimensions of Parking, Fifth Edition* (2010) and consulted with Murray city staff about recommended on-street parking spacing in Murray. The ULI manual indicates that a typical passenger vehicle will occupy approximately 17-18 feet of space along the street. Additionally, Murray city staff recommended providing 5 feet of space between driveways and the edge of a vehicle. Therefore, for this study, Fehr & Peers recommends that a minimum length of 22 feet of space along Applegate Drive would be required per vehicle of on-street parking capacity.

The project team also evaluated the proposed Applegate Townhomes expansion site plan to approximate the amount of available on-street parking space. The site plan indicates that each of the proposed duplex-style townhomes would have two driveways spaced approximately 14 feet apart, so no on-street parking would be feasible immediately in front of the townhomes. Additionally, each of the pairs of townhomes along the south side of Applegate Drive are spaced within 10 feet of each other, so no parking is feasible between the townhomes there. Due to the curvature of the road, some of the driveways along the north side are spaced as far as 21.5 feet apart. However, these segments still do not provide sufficient space for on-street parking. Furthermore, the pavement width in this section of Applegate Drive is anticipated to be 25 feet. Fehr & Peers does not recommend striping for on-street parking on a roadway less than 35 feet wide. Therefore, Fehr & Peers does not recommend permitting any on-street parking along Applegate Drive in the vicinity of the proposed expansion.

Recommendations

Fehr & Peers reviewed the site plan for the Applegate Expansion along with the requirements for Murray City to develop recommendations for the Applegate Expansion to meet City requirements. We recommend coordinating with Murray city staff to develop a plan to add a second access to the community between Applegate Dr and 5160 S to meet Murray's requirement for all communities of more than 100 multi-family units to provide a second access. If the access is gated, it is not anticipated that this connection would cause adverse traffic impacts on either side of the connection.

Functionally, due to the low volumes observed during data collection, we recommend that Applegate Drive maintain its current functional class of a local street, with a pavement width of 35

feet and a total right-of-way of 60 feet between Rome Beauty Park and Murray Blvd and a pavement width of 25 feet and a total right-of-way of 49 feet west of Rome Beauty Park.

Based on the current spacing of driveways throughout the site, Fehr & Peers does not recommend permitting on-street parking along Applegate Drive within the vicinity of the proposed expansion.

Appendix: Proposed site plan for Applegate Townhomes Expansion

FEHR PEERS

Memorandum

Date: December 28, 2022

To: Quinn Millet, Wellsville Mtns LLC
Jake Christensen, Atlas Ventures

From: Calvin Clark, Fehr & Peers
Preston Stinger, Fehr & Peers

Subject: Applegate Expansion Queue Analysis

UT22-2375

This memo summarizes the queue analysis performed at the intersection of Murray Boulevard & Applegate Drive as part of the Applegate Expansion. Fehr & Peers performed the following tasks as part of this analysis:

1. Used previously collected 2019 counts to estimate existing 2022 counts to analyze the queue lengths,
2. Updated trip generation in accordance with the most up-to-date site plan, and
3. Analyzed existing plus project conditions based on the combined existing 2022 and project trips.

Fehr & Peers found that 95th percentile queues at the intersection of Murray Boulevard & Applegate Drive are all less than one vehicle (less than 25 feet) for all eastbound and northbound left-turning movements in both the existing and the existing plus project conditions. Current storage lengths are sufficient to accommodate these queues and are anticipated to continue to accommodate these queues with the addition of Applegate expansion project trips.

Existing Conditions

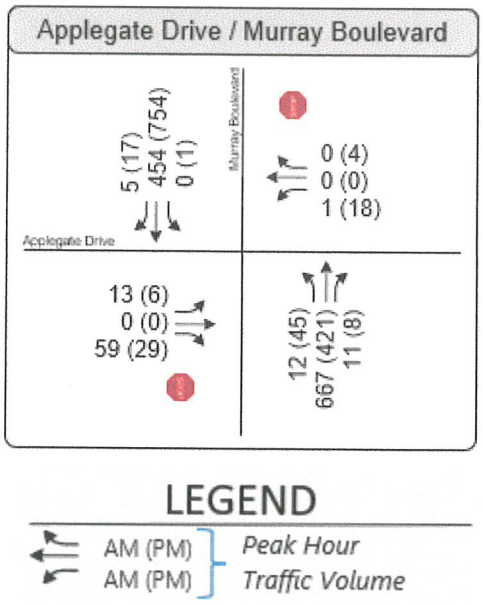
Fehr & Peers collected peak period turning movement counts (TMC) on Wednesday, April 15, 2019, at the intersection of Applegate Drive & Murray Boulevard and 24-hour tube counts on Applegate Drive between Murray Boulevard and Ben Davis Park on Thursday, June 9, 2022. The two count sources for the west leg of the intersection of Applegate Drive and Murray Boulevard are compared in Table 1, showing that the number of counted vehicles in 2022 is lower than the

number of counted vehicles in 2019. To avoid estimating negative growth for 2022 traffic conditions, Fehr & Peers used an annual growth rate of 0%, meaning the 2019 counts were used to represent 2022 existing traffic conditions. The volumes for the existing AM (7:30-8:30 AM) and PM (4:45-5:45) peak hours are shown in Figure 1.

Table 1: 2019 Turning Movement Count and 2022 24-hour Tube Count Comparison

Peak Period	Direction	2019 TMC	2022 Tube
7-9 AM	EB	117	69
	WB	30	16
4-6 PM	EB	75	65
	WB	123	94

Figure 1: Existing Conditions Volumes



Fehr & Peers used HCM 6 methodology to analyze queues at the intersection of Applegate Drive and Murray Blvd for both existing AM and PM peak hours. The queue analysis results are shown in Table 2, and the full Synchro reports are attached in the appendix. Note that queues for approaches entering or exiting the private driveway on the east leg of the intersection were not included. The results of the queuing analysis indicate that all studied movements have 95th percentile queues under one vehicle (or less than 25 feet), meaning that 95% of the time queues for each movement do not exceed one vehicle. The northbound left-turn pocket has a storage length of 50 feet, and the eastbound approach has sufficient width at the throat of the access (24

feet) to accommodate short eastbound left-turning and right-turning queues simultaneously. Existing storage space for each of these movements is sufficient to handle these queues.

Table 2: Existing Queue Analysis for Applegate Drive & Murray Boulevard

Movement	Period	95th Percentile Queue (veh)	95th Percentile Queue (ft)
Northbound Left-turns	AM	<1.0	<25
	PM	<1.0	<25
Eastbound Left-turns	AM	<1.0	<25
	PM	<1.0	<25
Eastbound Right-turns	AM	<1.0	<25
	PM	<1.0	<25

Project Trip Generation

The proposed project is a development of 44 townhomes. Fehr & Peers estimated the number of trips to be generated by this project based on rates published in the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition, 2022. The manual's documentation classifies townhouses under the land use code 215: Single-Family Attached Housing. The trip generation is shown in Table 3. The total AM trip generation is estimated to be 17 trips and the total PM trip generation is estimated to be 22 trips.

Table 3: Applegate Expansion Trip Generation

Land Use[1]	Number of Units	Unit Type	AM Peak Hour Trip Generation[2]	% Entering[3]	% Exiting[3]	Trips Entering	Trips Exiting	**New AM Peak Hour Trips**
Single-Family Attached Housing (215)	44	Dwelling Unit	17	25%	75%	4	13	**17**
Net Weekday AM Peak Hour Trips						**4**	**13**	**17**
Land Use[1]	Number of Units	Unit Type	PM Peak Hour Trip Generation[2]	% Entering[3]	% Exiting[3]	Trips Entering	Trips Exiting	**New PM Peak Hour Trips**
Single-Family Attached Housing (215)	44	Dwelling Unit	22	59%	41%	13	9	**22**
Net Weekday PM Peak Hour Trips						**13**	**9**	**22**

1. (XXX) Indicates ITE Land Use Code. Land Use Code from the Institute of Transportation Engineers - 11th Edition Trip Generation Manual (ITE Manual)
2. Traffic Generated by the development according to trip generation fitted curves provided in the ITE Manual
3. Percentage of trips Entering and Exiting the development according to the ITE Manual.

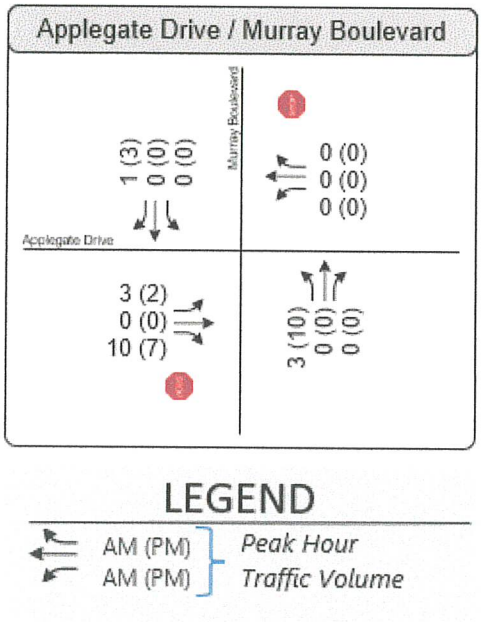
SOURCE: Fehr & Peers, 2022

Trips were distributed in the same proportion as in the original traffic study in 2019:

- 20% to/from the north via Murray Boulevard
- 80% to/from the south via Murray Boulevard

The resulting project trips at the intersection of Applegate Drive & Murray Boulevard are presented in Figure 2.

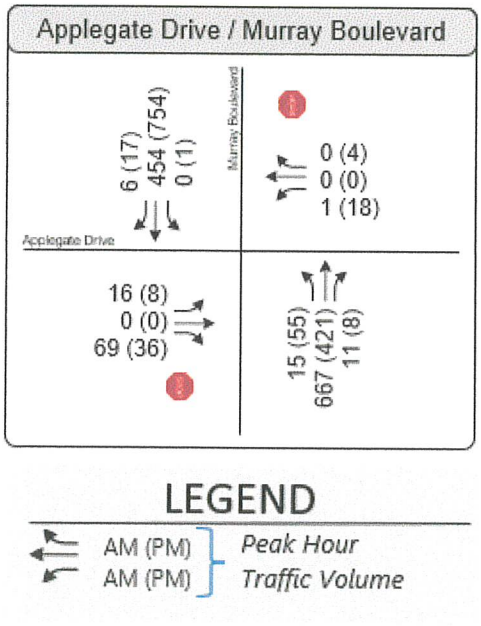
Figure 2: Project Volumes



Existing Plus Project

Fehr & Peers estimated the existing plus project volumes by adding the project trip generation volumes (Figure 2) to the existing volumes (Figure 1), as shown in Figure 3.

Figure 3: Existing Plus Project Volumes



Fehr & Peers used HCM 6 methodology to analyze queues at the intersection of Applegate Drive and Murray Blvd for both existing plus project AM and PM peak hours The queue analysis results are shown in Table 4, and the full Synchro reports are attached in the appendix. The results of the queuing analysis indicate that all studied movement have 95th percentile queues under one vehicle (or less than 25 feet), meaning that 95% of the time queues for each movement do not exceed one vehicle. Existing storage space for each of these movements is expected to be sufficient to handle these queues.

Table 4: Existing Plus Project Queue Analysis for Applegate Drive & Murray Boulevard

Movement	Period	95th Percentile Queue (veh)	95th Percentile Queue (ft)
Northbound Left-turns	AM	<1.0	<25
	PM	<1.0	<25
Eastbound Left-turns	AM	<1.0	<25
	PM	<1.0	<25
Eastbound Right-turns	AM	<1.0	<25
	PM	<1.0	<25

Conclusion

Fehr & Peers used TMC from 2019 and 24-hour tube counts from 2022 to estimate existing 2022 TMC at the intersection of Applegate Dr & Murray Blvd. These counts were used to perform a queue analysis for the intersection and found that in the existing conditions all 95th percentile queues were less than one vehicle. Fehr & Peers estimated traffic to be generated at this intersection due to the proposed addition of 44 townhomes and analyzed queues with the resulting traffic and found that projected 95th percentile queues were also less than one vehicle for each approach. Existing storage for these queues is expected to be sufficient for existing and existing-plus-project conditions.

Appendix: Synchro HCM 6 Reports

Intersection	
Int Delay, s/veh	1

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	13	0	59	1	0	0	12	667	11	0	454	5
Future Vol, veh/h	13	0	59	1	0	0	12	667	11	0	454	5
Conflicting Peds, #/hr	1	0	1	1	0	1	1	0	1	1	0	1
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	50	-	-	-	50	-	-	50	-	20
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	90	90	90	90	90	90	90	90	90	90	90	90
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	14	0	66	1	0	0	13	741	12	0	504	6

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1279	1285	506	1315	1285	749	511	0	0	754	0	0
Stage 1	505	505	-	774	774	-	-	-	-	-	-	-
Stage 2	774	780	-	541	511	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	143	165	566	135	165	412	1054	-	-	856	-	-
Stage 1	549	540	-	391	408	-	-	-	-	-	-	-
Stage 2	391	406	-	525	537	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	141	163	565	118	163	411	1053	-	-	855	-	-
Mov Cap-2 Maneuver	141	163	-	118	163	-	-	-	-	-	-	-
Stage 1	542	539	-	386	403	-	-	-	-	-	-	-
Stage 2	386	401	-	464	536	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	16	35.8	0.1	0
HCM LOS	C	E		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	EBLn2	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1053	-	-	141	565	118	855	-	-
HCM Lane V/C Ratio	0.013	-	-	0.102	0.116	0.009	-	-	-
HCM Control Delay (s)	8.5	-	-	33.4	12.2	35.8	0	-	-
HCM Lane LOS	A	-	-	D	B	E	A	-	-
HCM 95th %tile Q(veh)	0	-	-	0.3	0.4	0	0	-	-

Intersection	
Int Delay, s/veh	2.2

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	6	0	29	18	0	4	45	421	8	1	754	17
Future Vol, veh/h	6	0	29	18	0	4	45	421	8	1	754	17
Conflicting Peds, #/hr	3	0	2	1	0	2	2	0	1	2	0	3
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	50	-	-	-	50	-	-	50	-	20
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	80	80	80	80	80	80	80	80	80	80	80	80
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	8	0	36	23	0	5	56	526	10	1	943	21

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1597	1598	948	1621	1614	536	967	0	0	538	0	0
Stage 1	948	948	-	645	645	-	-	-	-	-	-	-
Stage 2	649	650	-	976	969	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	86	106	316	83	104	545	712	-	-	1030	-	-
Stage 1	313	339	-	461	467	-	-	-	-	-	-	-
Stage 2	458	465	-	302	332	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	80	97	314	69	95	542	710	-	-	1028	-	-
Mov Cap-2 Maneuver	80	97	-	69	95	-	-	-	-	-	-	-
Stage 1	287	338	-	424	429	-	-	-	-	-	-	-
Stage 2	417	427	-	266	331	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	24.3	69.6	1	0
HCM LOS	C	F		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	EBLn2	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	710	-	-	80	314	82	1028	-	-
HCM Lane V/C Ratio	0.079	-	-	0.094	0.115	0.335	0.001	-	-
HCM Control Delay (s)	10.5	-	-	54.6	18	69.6	8.5	-	-
HCM Lane LOS	B	-	-	F	C	F	A	-	-
HCM 95th %tile Q(veh)	0.3	-	-	0.3	0.4	1.3	0	-	-

Intersection	
Int Delay, s/veh	2.6

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	8	0	36	18	0	4	55	421	8	1	754	20
Future Vol, veh/h	8	0	36	18	0	4	55	421	8	1	754	20
Conflicting Peds, #/hr	3	0	2	1	0	2	2	0	1	2	0	3
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	50	-	-	-	50	-	-	50	-	20
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	80	80	80	80	80	80	80	80	80	80	80	80
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	10	0	45	23	0	5	69	526	10	1	943	25

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1623	1624	948	1653	1644	536	971	0	0	538	0	0
Stage 1	948	948	-	671	671	-	-	-	-	-	-	-
Stage 2	675	676	-	982	973	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	82	102	316	78	100	545	710	-	-	1030	-	-
Stage 1	313	339	-	446	455	-	-	-	-	-	-	-
Stage 2	444	453	-	300	330	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	75	92	314	62	90	542	708	-	-	1028	-	-
Mov Cap-2 Maneuver	75	92	-	62	90	-	-	-	-	-	-	-
Stage 1	282	338	-	402	410	-	-	-	-	-	-	-
Stage 2	396	408	-	256	329	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	26	80	1.2	0
HCM LOS	D	F		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	EBLn2	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	708	-	-	75	314	74	1028	-	-
HCM Lane V/C Ratio	0.097	-	-	0.133	0.143	0.372	0.001	-	-
HCM Control Delay (s)	10.6	-	-	60.3	18.4	80	8.5	-	-
HCM Lane LOS	B	-	-	F	C	F	A	-	-
HCM 95th %tile Q(veh)	0.3	-	-	0.4	0.5	1.4	0	-	-

Intersection	
Int Delay, s/veh	1.3

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	16	0	69	1	0	0	15	667	11	0	454	6
Future Vol, veh/h	16	0	69	1	0	0	15	667	11	0	454	6
Conflicting Peds, #/hr	1	0	1	1	0	1	1	0	1	1	0	1
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	50	-	-	-	50	-	-	50	-	20
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	90	90	90	90	90	90	90	90	90	90	90	90
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	18	0	77	1	0	0	17	741	12	0	504	7

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1287	1293	506	1329	1294	749	512	0	0	754	0	0
Stage 1	505	505	-	782	782	-	-	-	-	-	-	-
Stage 2	782	788	-	547	512	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	141	163	566	132	163	412	1053	-	-	856	-	-
Stage 1	549	540	-	387	405	-	-	-	-	-	-	-
Stage 2	387	402	-	521	536	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	139	160	565	112	160	411	1052	-	-	855	-	-
Mov Cap-2 Maneuver	139	160	-	112	160	-	-	-	-	-	-	-
Stage 1	540	539	-	380	398	-	-	-	-	-	-	-
Stage 2	380	395	-	450	535	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	16.6	37.5	0.2	0
HCM LOS	C	E		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	EBLn2	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1052	-	-	139	565	112	855	-	-
HCM Lane V/C Ratio	0.016	-	-	0.128	0.136	0.01	-	-	-
HCM Control Delay (s)	8.5	-	-	34.7	12.4	37.5	0	-	-
HCM Lane LOS	A	-	-	D	B	E	A	-	-
HCM 95th %tile Q(veh)	0	-	-	0.4	0.5	0	0	-	-

Schedule 1

Planning Commission Staff Report

MURRAY CITY PLANNING COMMISSION
FINDINGS OF FACT AND CONCLUSIONS

PROJECT NAME: Fuji Townhomes

PROJECT NUMBER: 23-054

ADDRESS: 770 West Applegate Drive (apx)

APPLICANT: Applegate LLC

APPLICATION TYPE: Conditional Use Permit

I. REQUEST:

The application is requesting a conditional use permit for a 42-Unit Multi-Family Rental Townhouse project.

II. MUNICIPAL CODE AUTHORITY:

Section 17.120.030 of the Murray City Land Use Ordinance requires conditional use permit approval for Multiple-Family Dwelling (LU#1131) developments by the Planning Commission.

III. APPEAL PROCEDURE:

Municipal Code Section 17.16.30 provides details for requesting an appeal of the Planning Commission's decision on a land use application that is heard by the Hearing Officer. An application for appeal must be presented within 10 calendar days after the approval of these Findings of Fact.

IV. SUMMARY OF EVIDENCE:

A. The basic facts and criteria regarding this application are contained in the staff report, which is attached as **Exhibit A** and is incorporated herein.

B. The minutes of the public meeting held by the Planning Commission on June 15, 2023 which are attached as **Exhibit B** summarizes the oral testimony presented and are hereby incorporated herein.

V. FINDINGS OF FACT:

Based on the analyses of the Conditional Use Permit of the new multi-family leasing units for Fuji Townhomes and a survey of the surrounding area, staff concludes the following:

1. With conditions, the proposed multi-family project will comply with the standards of the Murray City Land Use Ordinance.
2. The proposed multi-family townhome units provide new and needed residential housing opportunities at appropriate density for the area, while providing improvements to

existing housing and needed infrastructure.

3. The proposed multi-family project is in harmony with the Future Land Use Map and the objectives and goals of the Murray City General Plan.

VI. DECISION AND SUMMARY

The Planning Commission **APPROVED** the request for a Conditional Use Permit to allow the proposed Fuji Townhomes located at approximately 770 West Applegate Drive subject to the following conditions. The vote was 5-0 with Commissioners Pehrson, Nay, Patterson, Hacker and Richards in favor and none opposed. The approval is contingent on the following conditions:

1. The project shall meet Murray City Engineering requirements including the following:

a) Meet City subdivision requirements and standards – City Code Title 16.

b) Meet City storm drain requirements, on-site detention and retention of the 80th percentile storm is required. Implement Low Impact Development (LID) practices.

c) Provide an LID and drainage summary report.

d) Storm drain detention and retention areas should not be used as dog parks.

e) Sidewalks, pedestrian ramps, and crosswalks must meet current City and ADA Standards.

f) Meet City street standards – street grades should not be less than 0.5% and no greater than 10%. Tapers or smooth transitions should be provided at street connections and curves should not impede line of site.

g) Meet City utility requirements and provide PUE's within and along the proposed street.

h) Provide plan and profile drawings of the proposed street and utilities.

i) Provide emergency only access gate meeting Fire Department requirements at Fuji connection to Spring Clover Drive.

j) Provide new water, sewer and storm drain in street and reconnect existing utilities to the new utility lines.

k) Maintain access and utility connections for the existing Applegate community.

l) Based on the proposed street geometry, provide a design speed and speed limit signs.

m) Provide stop signs and coordinate markers at all street intersections and no parking signs along the proposed street.

n) Provide street lighting.

o) Develop a site SWPPP and obtain a City Land Disturbance Permit prior to beginning site construction work.

p) Obtain a City Excavation Permit for work in the City right-of-way.

2. The existing cellular tower shall be relocated off the subject property prior to recordation of the Amended Applegate Subdivision and prior to issuance of any building permits.

3. The project shall meet all applicable Fire Code standards including number and placement of hydrants, adequate fire flow, and appropriate emergency service access.

4. The applicant shall install "No Parking" signage and be enforced on Fuji Avenue for adequate fire safety access.

5. The project shall meet all Water, Wastewater and Power Department requirements.

6. The applicant shall work with the Murray City Water Division to correct the design issues identified in this report.

7. The applicant shall install an eight-foot (8') solid masonry wall adjacent to all single-family dwellings.

8. The creation of the new parcel/lot on a private accessway prohibits any future potential subdivision for individual ownership (townhomes) per Section 16.16.090.

9. The applicant shall remove the dog park from the detention basin area.

10. The applicant shall provide an updated formal landscaping plan prepared and stamped by a licensed Utah Landscape Architect for all landscaping improvements on or associated with the project, meeting all requirements of Section 17.68 of the Murray City Land Use Ordinance prior to the first building permit submittal.

11. The applicant shall provide amended Declarations for both the Applegate Condominiums and the Fuji Townhomes that demonstrate the clear shared use, maintenance, and improvement of the existing clubhouse and pool, and that demonstrate the necessary shared access and parking agreements will continue in perpetuity. A copy of the recorded Declarations shall be provided to the Planning Division.

12. The applicant shall provide a copy of the recorded Reciprocal Easement Agreement to the Planning Division.

13. All new dwellings shall meet the maximum height of the R-M-15 Zone (Section 17.120).

14. The applicant shall provide complete plans, calculations, and soils reports for building permit submittals and to meet all Building Code requirements.

15. The applicant shall meet all of the R-M-15 Zone (Section 17.120) requirements.

16. The applicant/property owner shall obtain a business license for the rental units.

17. The sidewalk on the proposed (lot/parcel) shall be extended on at least one side of the private access on Gravenstein Park Drive.

VII. FINDINGS OF FACT APPROVED BY THE MURRAY PLANNING COMMISSION THIS 20th DAY OF July, 2023.

_____, Chair
Murray Planning Commission

MURRAY CITY PLANNING COMMISSION
FINDINGS OF FACT AND CONCLUSIONS

PROJECT NAME: Applegate Condominium Amended

PROJECT NUMBER: 23-052

ADDRESS: 770 West Applegate Drive (apx)

APPLICANT: Applegate LLC

APPLICATION TYPE: Condominium Amendment

I. REQUEST:

The application is requesting an amendment to the Applegate Condominiums to split out a 5.11-acre portion of land.

II. MUNICIPAL CODE AUTHORITY:

Section 16.04.040(F) and 16.12.070 of the Murray City Land Use Ordinance require the subdivision of property to be reviewed and approved by the Murray City Planning Commission as the Land Use Authority.

III. APPEAL PROCEDURE:

Municipal Code Section 17.16.30 provides details for requesting an appeal of the Planning Commission's decision on a land use application that is heard by the Hearing Officer. An application for appeal must be presented within 10 calendar days after the approval of these Findings of Fact.

IV. SUMMARY OF EVIDENCE:

A. The basic facts and criteria regarding this application are contained in the staff report, which is attached as **Exhibit A** and is incorporated herein.

B. The minutes of the public meeting held by the Planning Commission on June 15, 2023 which are attached as **Exhibit B** summarizes the oral testimony presented and are hereby incorporated herein.

V. FINDINGS OF FACT - SUBDIVISION AMENDMENT:

Based on the analysis of the proposed subdivision, review of the applicable land use and subdivision requirements, and a survey of the surrounding area staff concludes the following:

1. With conditions, the proposed subdivision can comply with the standards of the

Murray City Subdivision Ordinance.

2. With conditions, the proposed subdivision will allow for the sale of property which will provide for needed improvements to be made to the existing condominium units and property.
3. The proposed subdivision creates an opportunity for further residential development which is encouraged and supported by the 2017 Murray City General Plan in this area.

VI. CONCLUSION/RECOMMENDATION - SUBDIVISION AMENDMENT

The Planning Commission **APPROVED** the request for Preliminary and Final Subdivision approval for the Applegate Condominiums Amended Subdivision located at approximately 770 West Applegate Drive subject to the following conditions. The vote was 5-0 with Commissioners Pehrson, Nay, Patterson, Hacker and Richards in favor and none opposed. The approval is contingent on the following conditions:

1. The project shall meet all requirement of the Murray City Engineer, including the following:

a) Meet City Subdivision requirements – City Code Title 16.

b) Meet Salt Lake County's requirements for plat recording – reviews by Salt Lake County Surveyor's Office and Recorder's Office are required.

c) Meet Salt Lake County addressing requirements for street name and unit addressing – Fuji Avenue needs to be changed to Fuji Way or Fuji Drive.

d) Delineate and designate with dimensions, boundaries, courses, and address coordinates the proposed street. Suggest showing this on a 2nd sheet with a 1" = 40' or larger scale so that it's legible.

e) Dedicate the triangular piece of property that extends into Spring Clover Drive to Murray City.

f) Dedicate the strip or property south of Applegate Drive that extends into Murray Blvd.

g) Recommendation – work with the property owners at 5313 South Majestic Village Cir. and 839 West Spring Clover Dr. to clean up the property line discrepancies.

h) Show drainage easements in locations that have drainage facilities.

i) Meet City storm drain requirements, on-site detention and retention of the 80th percentile storm is required. Implement Low Impact Development (LID) practices.

j) Provide an LID and drainage summary report.

k) Sidewalks, pedestrian ramps, and crosswalks must meet current City and ADA Standards.

l) Meet city street standards – street grades should not be less than 0.5% and no greater than 10%. Tapers or smooth transitions should be provided street connections and curves should not impede line of site.

m) Meet City utility requirements and provide PUE's within and along the proposed street for proposed gas, electric and communication lines.

n) Provide full plan and profile drawings of the proposed street and utilities.

o) Provide emergency only access gate meeting Fire Department requirements at Fuji connection to Spring Clover Drive.

p) Provide new water, sewer and storm drain in Fuji.

q) Based on the proposed street geometry, provide a design speed and speed limit signs.

r) Provide stop signs, coordinate markers at all street intersections and no parking signs

along the proposed street.

s) Provide street lighting – show locations and type on site plan.

t) Develop a site SWPPP and obtain a City Land Disturbance Permit prior to beginning site construction work.

u) Obtain a City Excavation Permit for work in the City right-of-way.

2. The existing cell tower shall be relocated prior to recordation of the amended plat and prior to issuance of any building permits.

3. The applicant shall meet all International Fire Code (IFC) 2018.2021 along with National Fire Protection Association (NFPA) codes. Meet all standards including the number and placement of hydrants, adequate fire flow, and appropriate emergency service access and gates. See Department Comments for further details.

4. The applicant shall install and enforce "No parking" signage on Fuji Avenue for adequate fire safety access.

5. The project shall meet all Water, Wastewater and Power Department requirements.

6. The applicant shall install an 8-foot-high solid wall adjacent to any single-family dwellings and must be installed prior to construction of any new dwellings.

7. The sidewalk shall be extended to the property line on Gravenstein Park.

8. The applicant shall provide amended Declarations for both the Applegate Condominiums and the Fuji Townhomes that demonstrate the clear shared use, maintenance, and improvement of the existing clubhouse and pool, and that demonstrate the necessary shared access and parking agreements will continue in perpetuity. A copy of the recorded Declarations is required to be provided to the Planning Division.

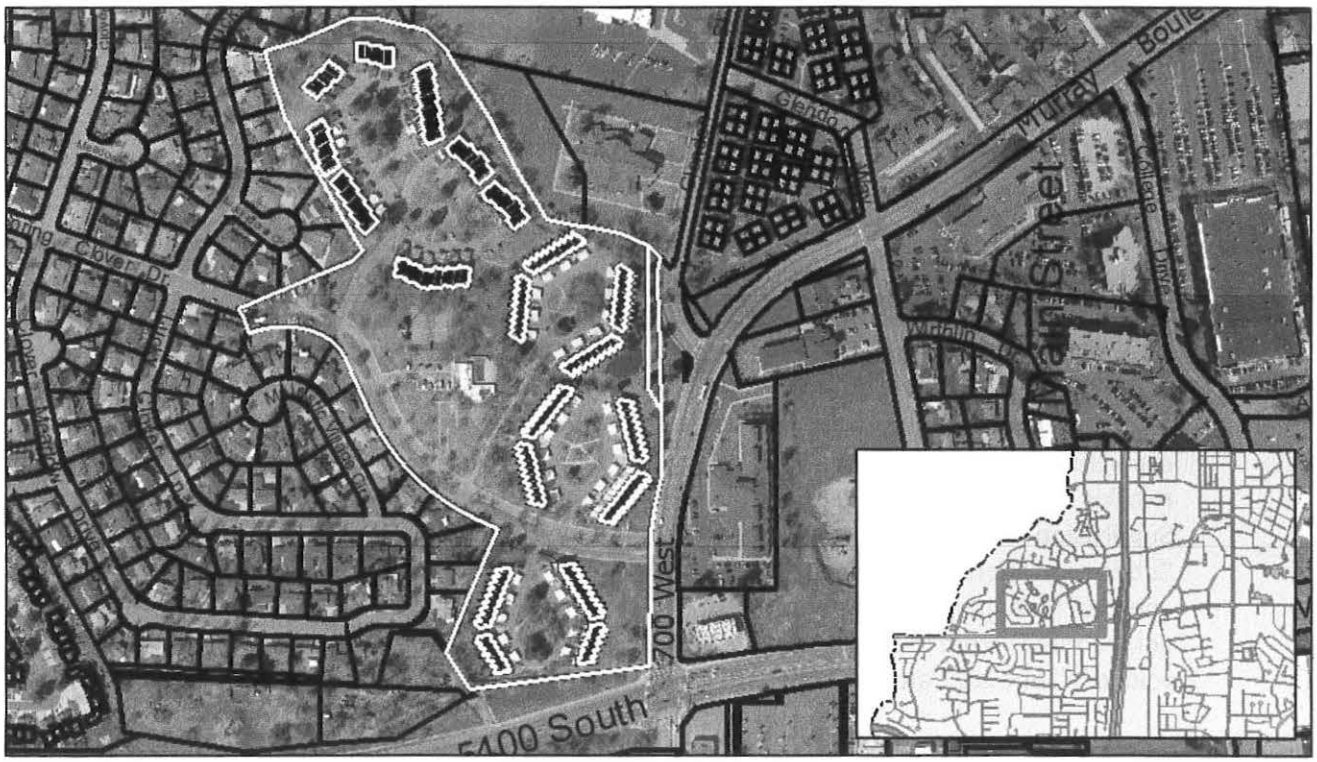
9. The applicant shall prepare a Final Amended Subdivision Plat with complies with all requirements of the Murray City Land Use Ordinance and with Title 16, Murray City Subdivision Ordinance and meet Salt Lake County Recorder's requirements.

10. The amended subdivision plat shall be recorded within one year of the final approval by the Planning Commission or the subdivision plat approval shall be null and void.

VII. FINDINGS OF FACT APPROVED BY THE MURRAY PLANNING COMMISSION THIS 20th DAY of July, 2023.

_____, Chair
Murray Planning Commission

AGENDA ITEM #8 & 9 - Applegate Condominiums Amended and Fuji Townhomes			
ITEM TYPE:	Subdivision Approval, Amended Plat and Conditional Use to allow Multi-Family		
ADDRESS:	770 West Applegate Drive	**MEETING DATE:**	June 15, 2023
APPLICANT:	Applegate HOA	**STAFF:**	Susan Nixon, Senior Planner
PARCEL ID:	22-11-478-174	**PROJECT NUMBER:**	23-052 23-054
ZONE:	R-M-15	**Land Use:**	1131
SIZE:	23.7 total acres | 5.11 acre proposed lot | 42 Units | 8.2 units/acre		
REQUEST:	Agenda Item #8- Preliminary and Final Subdivision Approval to amend the existing Applegate Condominiums, creating a new and separate 5.11-acre parcel for further residential development. Agenda item #9- Conditional Use Permit approval for a 42-unit rental townhouse project to be constructed on the new 5.11-acre parcel.		



I. LAND USE ORDINANCE

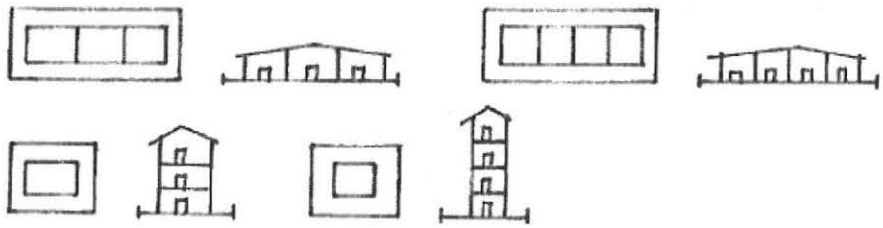
Title 16, Subdivision Ordinance, Section 16.04.040(F) and 16.12.070 require the subdivision of property to be reviewed and approved by the Murray City Planning Commission as the Land Use Authority.

The proposed subdivision has been designed to meet the requirements of the R-M-15 Zone, and to facilitate the withdrawal of property from the existing Condominiums in order to construct a 42-unit multi-family development.

Section 17.120.030 of the Murray City Land Use Ordinance requires that Multiple-family dwelling (#LU1131) developments receive Conditional Use approval by the Planning Commission.

17.120.030: CONDITIONAL USES:

1131	Multiple-family dwelling.



Murray City Standard Land Use Code defines #1131 as: "Multiple-family dwelling containing three or four family residences, detached (on one parcel, with or without attached garage.)"

II. BACKGROUND

History and Process

Applegate LLC proposes a new multi-family project containing forty-two (42) townhome style units to be constructed on a new 5.11-acre parcel of property which is currently associated with the Applegate Condominiums. In 2018, the City Council approved a General Plan and Zone Map Amendment from R-1-8 to R-M-15. In 2019, an appeal to the Hearing Officer was made on an administrative decision regarding the cellular tower's nonconforming status. An expansion of nonconforming structure and variance was also granted by the Murray City Hearing Officer. In May of 2020, the Planning Commission granted Preliminary & Final Subdivision Amendment to the Applegate Condominiums, Preliminary Planned Unit Subdivision approval for 48 individually owned townhomes, and Conditional Use Permit approval for Applegate Townhomes PUD. The Applegate Condominiums Amended Plat was not recorded within the one-year time limit and the approval lapsed. The CUP approval was voided in June 2022 after no substantial work had taken place for a period of two years.

The current requests are for an amendment to the Applegate Condominiums to create the 5.11-acre lot/parcel and for a Conditional Use Permit to allow a multi-family rental project. These applications are substantially different from the 2020 and January 2023 applications. Planning Division Staff has determined that for the clearest review of these projects they are best combined into one staff report with the exception of the report sections for City Department Review, Findings, and Recommendations.

Staff has outlined the history for this property below:

Project Location

The subject property is the existing, 172-unit Applegate Condominiums, located on a 23.7-acre site on the west side of 700 West and north side of 5400 South. The Subdivision Amendment will create a 5.11-acre parcel from a portion of the existing Applegate Condominiums' common open space.

Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Single-Family Residential & Quasi-Public	R-1-8
South	Multi-Family Townhomes (across 5400 South)	R-M-15 & R-1-8
East	Assisted Living	C-N
West	Single-Family Residential	R-1-8

Project Description & Review

Creation of the Parcel for Withdrawal: The Applegate Condominiums Amended Subdivision is proposed in order to withdraw 5.11 acres from the condominium and create a single lot that can be sold for further development. The parcel will be created from land that is currently open space, owned in common by all members of the Applegate Condominiums Homeowner's Association (HOA). The withdrawal and sale of the property does not impact the private ownership of any of the existing condominium units. The subdivision amendment

will include the realignment of Applegate Drive and allow it to connect to Spring Clover Drive.

Amended Condominium Declaration: The amended subdivision requires an amended Condominium Declaration. The Condominium Declaration, (hereafter referred to as the "Declaration") is the shorthand for the Declaration of Covenants, Conditions, Restrictions and By-Laws that accompany a condominium subdivision project – in this case, the Applegate Condominiums. Among other things, the Declaration describes those portions of the property that are held in common, limited common, and private ownership, and controls the maintenance and disposition of those common and limited common areas. As described above, the proposed amended plat will modify the amount of land held in common by the HOA. The amendment to the Declaration will allow this modification, re-delineate the amount of commonly held property, and enable the HOA management to declare the new parcel as "excess" and negotiate its sale.

Conditional Use Permit: The applicant proposes to construct forty-two (42) townhomes to be rented under a single ownership. The forty-two (42) units will front on a private access that connects Applegate and Spring Clover Drives. The proposed development requires Conditional Use approval by the Planning Commission.

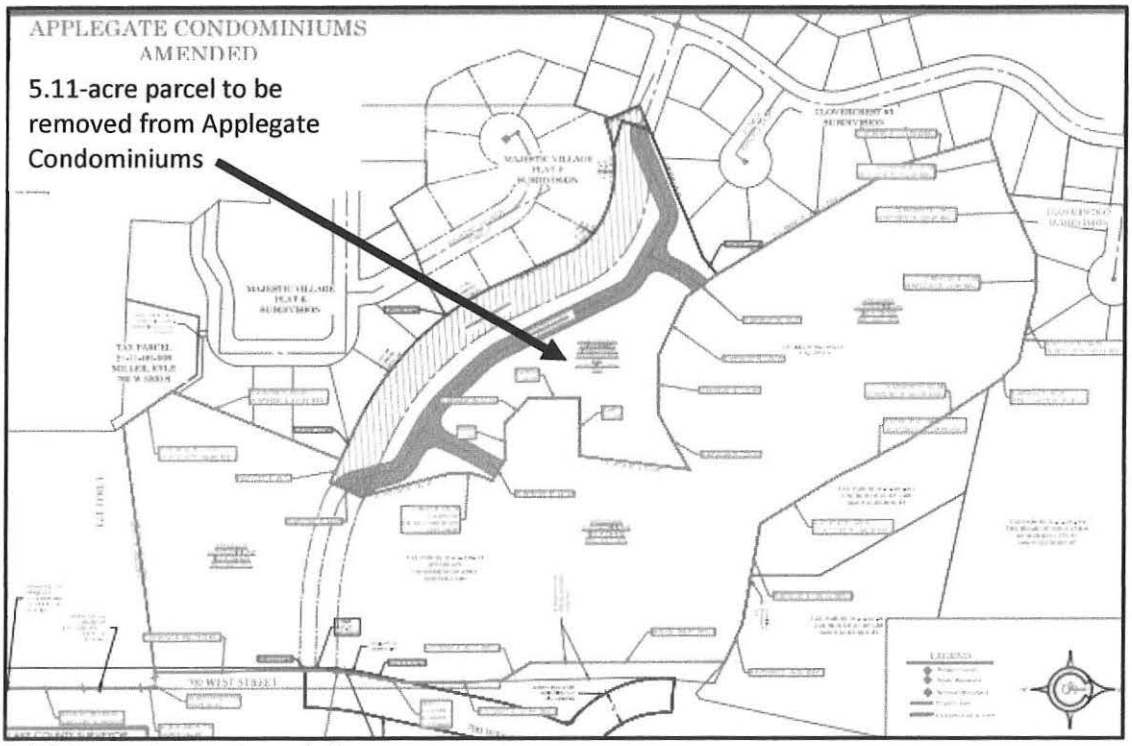


Exhibit: Applegate Amended

Access: Subdivision Code Section 16.16.170(2) states:" Multiple-Family Dwellings: Any residential subdivision development of more than one hundred (100) multiple-family dwellings shall have access to at least two (2) existing or proposed streets."

The applicant has proposed to have an access gate on Applegate Drive from Murray Boulevard at the Applegate Drive/Fuji Avenue connection noting "Ingress and egress both require key,

keycode, or transponder for entry. (See Site Plan C-5). Fuji and Applegate residents and guest and emergency vehicles access only." Also noted on the Site Plan is "Install fire apparatus access gate according to International Fire code IFC. (D103.5 Fire Apparatus Access Road Gates.

It is the City's opinion that the operation of the proposed east gate and the street connection to Spring Clover will push additional traffic into the neighborhood west and north of the development. Several streets in the neighborhood are already plagued with traffic and speeding issues, so pushing more traffic into the area is undesirable. To prevent additional traffic being pushed in the neighborhood to the west, the City Engineer is recommending that the Spring Clover access be limited to gated emergency access only. The gate will need to meet all fire code requirements for a secondary two-way emergency access and be controlled by Murray Fire Department. The gate is to be installed by the developer.

The existing property has historically been served by Applegate Drive alone, which currently runs north and west through the property from 700 West (aka Murray Boulevard.) In order to meet the requirements of Section 16.16.170(2) the applicant has proposed to connect Applegate Drive to Spring Clover Drive at the west. Applegate Drive will also be realigned to the north (and renamed "Fuji Avenue") away from the subdivision boundary and will connect to Spring Clover Drive at the west. The existing Applegate Drive will remain in service until the new "Fuji Avenue" alignment is completely installed. After Fuji Avenue is installed, construction of the units will begin.

There are several smaller private lanes that lead from Applegate Drive to provide looped accesses to the existing condominium units which will remain. Applegate Drive/Fuji Avenue will be reduced to 43' (inside back of sidewalk to inside back of sidewalk.) The right-of-way improvements will consist of six-foot (6') sidewalks, two-and-a-half-foot (2.5') rolled curb and gutter and twenty-six feet (26') of vehicular hard surface. No park strip is proposed.

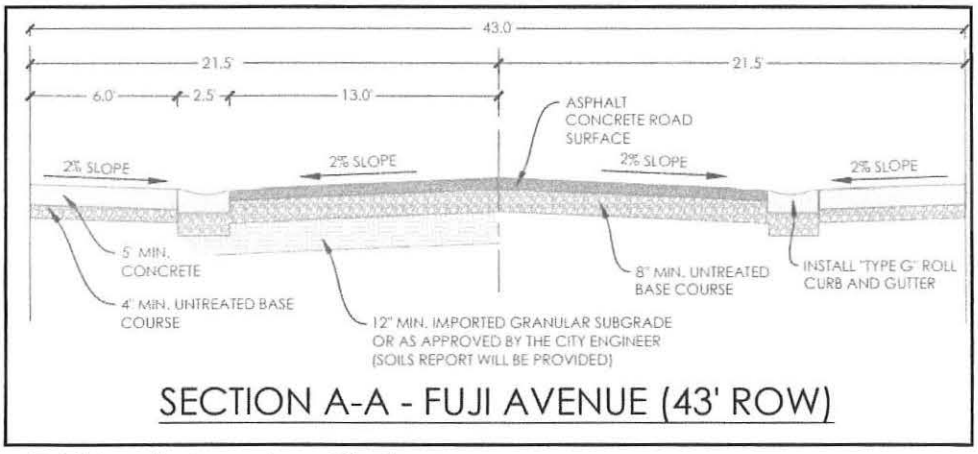
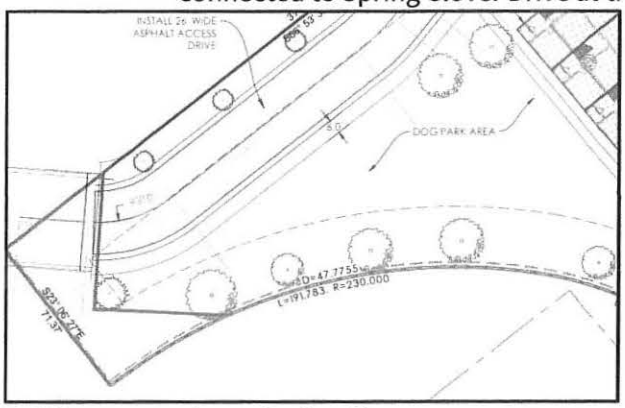


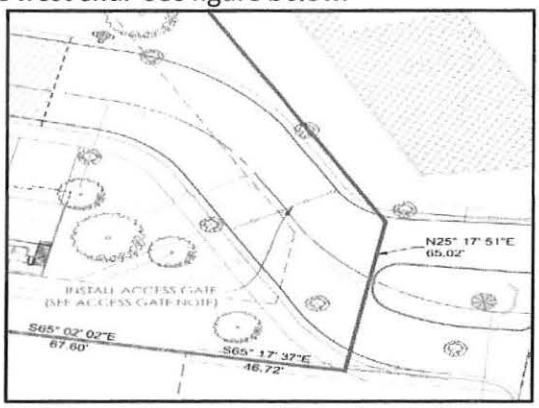
Exhibit: private road specifications

With the increased number of units, additional access to public rights-of-way was required by City Engineering standards and the Fire Department. To address those concerns, the applicants have proposed the following changes:

- Fuji Avenue – will remain private but will be modified, realigned to the north, and connected to Spring Clover Drive at the west end. See figure below:

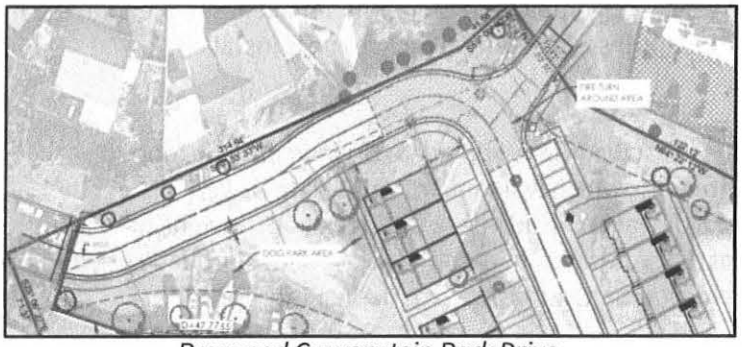


Fuji Ave connection to Spring Clover



Fuji Ave realignment with Applegate Drive showing access gate.

- Proposed Gravenstein Park will continue to connect to the units to the north but will be shortened with the realignment of Applegate Drive/Fuji Avenue. See figure below:



Proposed Gravenstein Park Drive

Existing Gravenstein Park Drive

- Pedestrian Access – Pedestrian access is important throughout the project. Sidewalks to connect new townhomes to the larger project have been provided on Applegate Drive as well as on Rome Beauty Park. The sidewalk system will also allow a pedestrian connection through the southwest end of the project to Spring Clover Drive and the sidewalk should be extended on at least one side of the private access on Gravenstein Park.
- Vehicular Access & Utility Easements – Vehicular access and utility easements for the existing properties in the condominium will be relocated to coincide with the new alignment of Applegate Drive/Fuji Avenue. The applicant has provided a copy of the Reciprocal Easement and Maintenance Agreement between Applegate Homeowners Association (HOA) ("Association") and Applegate LLC ("Owner") which addresses the shared access rights for the private right-of-way, utility easements, the existing clubhouse and pool and future sports courts, tot lot/playground, and barbecue pavilion area amenities.
- As noted on the Site Plan (C-5), the applicant has proposed to have an access gate on Applegate Drive from Murray Boulevard at the Applegate Drive/Fuji Avenue connection noting "Ingress and egress both require key, keycode, or transponder for entry. Fuji

and Applegate residents and guest and emergency vehicles access only." Also noted on the Site Plan is "Install fire apparatus access gate according to International Fire code IFC. (D103.5 Fire Apparatus Access Road Gates."

- Connection to Spring Clover – The applicant has indicated the road connection of Fuji Avenue to Spring Clover Drive will not include a gate. However, the Murray City Planning Staff in conjunction with the Fire and Engineering Departments are recommending a secondary emergency access gate be installed at this connection and is controlled solely by Murray City. Attached is a memo from the City Engineer further explaining the reason for this requirement. This access will provide the secondary emergency access requirement per city code and will also provide for maintenance of sewer cleanouts. The applicant will also need to dedicate a triangular piece of property that currently extends into Spring Clover Drive to Murray City.

- Impacts on surrounding properties – The applicant has proposed a 6' high vinyl fence as the buffer between the proposed project and the adjacent single-family residential area. Staff suggests that a solid 8' masonry wall be installed. It has been the practice where a multi-family project abuts a single-family residential neighborhood that an 8' foot high masonry wall be required. Experience with previous projects has shown that vinyl fences are not as stable or durable and solid masonry walls last much longer and provides a better visual impact on the adjacent neighbors with the change in grades. Requiring an emergency access gate at the Spring Clover connection will mitigate additional traffic impacts to the residential neighborhood to the west and will mitigate any additional traffic congestion at the Murray Boulevard 5300 South intersection.

- The Fire Department has indicated with the narrowness of the relocated right-of-way, "No Parking" signs should be posted and enforced by the project's management.

Traffic Impact Study: A full Traffic Impact Study (TIS) was conducted in 2019. Updates to this study were performed in July of 2022 and December 2022 in conjunction with the applications. The TIS analyzes traffic operations at key intersections for existing conditions with and without the proposed project, including Applegate Drive/Murray Boulevard and intersections at 5400 South & 700 West and 5300 South & College Drive.

The traffic impact study measured existing traffic volumes and added traffic generated by the proposed units. The study projects 95% (1,200) vehicles per day will utilize the Murray Blvd. access and 5% (60) vehicles per day will use the Spring Clover access. The study recommends installation of a gate near Spring Clover Drive to restrict use of the private street by the adjoining neighborhood to the west. The applicant is proposing to have a gate near the Murray Boulevard access as suggested by the traffic study. Additionally, as mentioned above, the City Engineer is requiring an additional emergency access gate to be installed and controlled by the City at the Spring Clover connection.

The TIS finds that there is no significant impact on the existing conditions and proposed development.

Parking: The proposed project will eliminate two existing parking lots west and south of the clubhouse. The R-M-15 Zone requires 2.5 parking stalls per unit. All proposed townhomes have two-car garages and driveways that will accommodate another two vehicles. The proposed units will meet the minimum parking requirement. The existing parking in front (southwest) of the clubhouse and pool will be eliminated with the realignment of Applegate Drive/Fuji Avenue. The site plan (Plan C-03) shows a total of 35 new parking stalls dispersed in Baldwin Park (4), Ben Davis Park (4), Rome Beauty Park (12), and Gravenstein Park (15). The modified visitor parking of thirty-five (35) spaces will allow for the same amount of visitor parking for the existing Applegate condos. The overall site meets the minimum parking requirements.

Grading, Drainage & Utilities: Grading, storm drainage, and utility plans have been provided and are under review with City Staff. The Murray City Water Division has raised concerns with the proposed plans to provide water that will need to be addressed. Those concerns are outlined in the City Department Review section of this report and are included as conditions of approval. Storm drain requirements will include on-site detention and retention. The proposed grading plan includes a detention area to the west of the new units on Fuji Avenue. The Site Plans (C-04, C-05 and C-06) show the detention area identified as "dog park". The City Engineer will not allow a dog park as part of the detention area and will need to be removed from plans at the time of building permit submittal. The Engineer's requirements are detailed in the City Department Review section and included with the conditions of approval.

Site Geotechnical Report: The geotechnical reports have been received by staff and no concerns have been expressed.

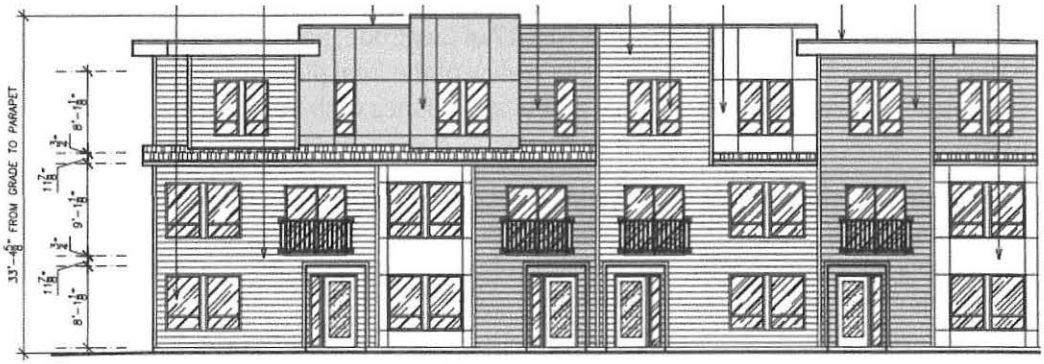
Cellular Tower: There is an existing cellular monopole tower on the property. In order for the Applegate HOA to sell the subject property and allow it to be developed, they sought and were granted a variance which will allow them to replace the monopole to its former location near the intersection of 700 West (Murray Boulevard) and 5400 South. The monopole must be relocated prior to the recording of the subdivision amendment because it is currently a legal non-conforming use in the R-M-15 Zone. Staff has recommended the Planning Commission require the relocation as a condition of approval.

Amenities: The new development proposes the installation of new sports courts, a dog park, pavilion, playground area and barbeque areas. The existing Applegate Condominiums and Applegate LLC will share the use, improvements, maintenance, access rights for the private right-of-way, utility easements, the existing clubhouse and pool and future sports courts, tot lot/playground, and barbecue area amenities. The shared amenity(s) will be controlled by the Declarations of both projects. There will be no physical separations such as fences between the two developments, and the connected sidewalks and roadways will encourage use of the open spaces. The applicant has provided a copy of the Reciprocal Easement and Maintenance Agreement between Applegate Homeowners Association (HOA) and Applegate LLC which addresses the private right-of-way road, utility easements, use of existing and future amenities as indicated above.

Landscaping: The R-M-15 Zone does not have specific landscaping requirements. Staff is comfortable with the proposed landscaping and amenities as proposed. The landscape plan,

identified as L1, provided by the applicant shows 46 units. The plan will need to be updated showing the correct layout and number of units (42) prior to the submittal of building permits. The applicant shall provide an updated formal landscaping plan prepared and stamped by a licensed Utah Landscape Architect for all landscaping improvements on or associated with the project, meeting all requirements of Section 17.68 of the Murray City Land Use Ordinance prior to the first building permit submittal.

Proposed Units & Height: The applicant intends to construct all townhomes in the project. The applicant has indicated that property management for the Fuji Townhomes will be done off-site. A Murray City business license is required for all rental units. All elevations and floor plans for the proposed townhomes indicate 3-story units with the garages oriented towards proposed Fuji Avenue providing space for vehicles to park in front of the garage. The R-M-15 Zone allows forty feet (40') for maximum building heights as approved by the Planning Commission. The tallest of the buildings proposed is 33.5', which conforms. Elevations and floorplans for the potential units are attached to this report for review.



Project Density

The R-M-15 zone allows for a base density of up to twelve (12) units per acre. Based on the 5.11 acres of the subject property the project is allowed up to sixty (60) units. The applicants have proposed forty-two (42) which results in a density of approximately eight (8) units per acre. This meets the requirements of the zone.

R-M-15 Zone Standards

Murray Land Use Section 17.120.080 states "Building height will be determined by the planning commission for conditional uses, except no building shall be erected to a height greater than forty feet (40'), and no dwelling shall be erected to a height less than one story. The proposed townhomes have been designed to meet the requirements of Chapter 17.120 (R-M-15). The structures consist of three (3) and four (4) unit-attached townhomes. The table below shows the requirements of the zone and the proposed setbacks. Staff has no concerns with the proposed setbacks and heights.

R-M-15 Zone	Code Requirement	Proposed
Front Yard	Twenty-Five Feet (25')	Twenty-Five (25')
Rear Yard	Twenty-Five Feet (25')	Twenty- Five (25')
Interior Side Yard	Eight Feet (8')	Twenty between buildings (20')
Corner Side Yard	Twenty Feet (20')	Twenty (20')
Height	Up to Forty Feet (40')	Thirty-three feet five inches (33.5')

III. STATE AND MUNICIPAL CODE REVIEW STANDARDS

Murray City Code Title 16, Subdivision Ordinance, outlines the requirements for subdivision review. Utah State Code (10-9a-604) states that a subdivision plat may not be recorded until approved by the Land Use Authority of the City. The Planning Commission's role as the Land Use Authority is to ensure that a proposed subdivision is consistent with established ordinances, policies, and planning practices of the City. The Planning Commission makes investigations, reports, and recommendations on proposed subdivisions as to their conformance to the General Plan and Title 17 of City Code, and other pertinent documents as it deems necessary. After completing its review of the final plat, the Planning Commission shall approve or disapprove the final plat in accordance with Section 16.12.070 of the City Code.

Utah State Code Section 10.9a.507(2)(a) states: "A land use authority shall approve a conditional use if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards."

Murray Land Use Code Section 17.120.130 requires Planning Commission approval for multi-family dwellings within the R-M-15 Zone. The Planning Commission's role as the Land Use Authority is to ensure that a proposed project is consistent with established ordinances, policies and planning practices of the City. The Planning Commission makes investigations, reports, and recommendations on proposed projects and "after the public hearing, the city may establish conditional zones within existing zoning districts where it is shown that it is in the best interests and general welfare of the community."

IV. LAND USE ORDINANCE STANDARDS REVIEW - CONDITIONAL USE PERMIT

Section 17.120.030 of the Murray City Land Use Ordinance requires that Multiple-family dwelling developments require Conditional Use approval by the Planning Commission. Murray City Code Section 17.56.060 outlines the following standards for review for conditional uses.

A. That the proposed use of the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the community and the neighborhood.

With compliance to city regulations, the proposed multi-family townhome project will contribute to the community and neighborhood by providing additional housing options and

making needed improvements to existing housing and infrastructure available.

B. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of person residing or working in the vicinity, or injurious to property or improvements in the vicinity.

With conditions, the proposed multi-family townhome project will not be detrimental to the health, safety, or general welfare of people in the vicinity.

C. That the proposed use will stress quality development with an emphasis towards adequate buffering, landscaping, proper parking and traffic circulation, use of appropriate gradation of building height away from single-family districts and density to create privacy and compatibility with surrounding uses, use of building materials which are in harmony with the area, impact on schools, utilities, and streets.

The proposed multi-family townhome project will contribute to the overall quality of housing and development in the area, providing appropriate density, parking, and open space. The proposed Fuji Townhome project will allow secondary access to the Applegate community where there has not been one previously. This proposed project could contribute to the much-needed reinvestment into the Applegate Condominium's site.

D. That the applicant may be required to provide such reports and studies which will provide information relating to adequate utilities, traffic impacts, school impacts, soil and water target studies, engineering reports, financing availability, market considerations, neighborhood support and any other information which may be needed in order to render a proper decision.

The applicant has submitted sufficient information for the review, based on conditions, for this Conditional Use Permit application by Murray City Staff and the Murray City Planning Commission.

V. PUBLIC COMMENTS

Planning Division Staff sent 502 notices to property owners within 500' of the subject property and to affected entities. As of the date of this report, staff has received emails and several phone calls with concerns about traffic, access, leasing/rental units and building height adjacent to single-family residential neighborhoods. Copies of emails received at the time of this staff report are attached. Staff will cover any additional comments received at the meeting.

NOTE: The final sections of this report are each separated and provided individually for each of the two applications for Subdivision Amendment (agenda item #8) and Conditional Use Permit Review (agenda item #9).

Subdivision Amendment:	Conditional Use Permit:
City Department Review - Pg 12	City Department Review - Pg 17
Findings - Pg 14	Findings - Pg 20
Conclusion & Recommendation - Pg 14	Conclusion & Recommendation - Pg 20

VI. CITY DEPARTMENT REVIEW - SUBDIVISION AMENDMENT

A Planning Review Meeting was held on May 30, 2023, where the proposed Subdivision Amendment and Conditional Use Permit application(s) were reviewed by Murray City Department Staff. The following comments have been provided by the departments that responded:

The Murray City Engineer recommends approval subject to the following conditions:

- Meet City Subdivision requirements – City Code Title 16.
- Meet Salt Lake County's requirements for plat recording – reviews by Salt Lake County Surveyor's Office and Recorder's Office are required.
- Meet Salt Lake County addressing requirements for street name and unit addressing – Fuji Avenue needs to be changed to Fuji Way or Fuji Drive.
- Delineate and designate with dimensions, boundaries, courses, and address coordinates the proposed street. Suggest showing this on a 2nd sheet with a 1" = 40' or larger scale so that it's legible.
- Dedicate the triangular piece of property that extends into Spring Clover Drive to Murray City.
- Dedicate the strip or property south of Applegate drive that extends into Murray Blvd.
- Recommendation – work with the property owners at 5313 South Majestic Village Cir. and 839 West Spring Clover Dr. to clean up the property line discrepancies.
- Show drainage easements in locations that have drainage facilities.
- Meet City storm drain requirements, on site detention and retention of the 80th percentile storm is required. Implement Low Impact Development (LID) practices.
- Provide an LID and drainage summary report.
- Sidewalks, pedestrian ramps, and crosswalks must meet current City and ADA Standards.
- Meet city street standards – street grades should not be less than 0.5% and no greater than 10%. Tapers or smooth transitions should be provided street connections and curves should not impede line of site.
- Meet City utility requirements and provide PUE's within and along the proposed street for proposed gas, electric and communication lines.
- Provide full plan and profile drawings of the proposed street and utilities.
- Provide emergency only access gate meeting Fire Department requirements at Fuji connection to Spring Clover Drive.
- Provide new water, sewer and storm drain in Fuji.
- Based on the proposed street geometry, provide a design speed and speed limit signs.
- Provide stop signs, coordinate markers at all street intersections and no parking signs along the proposed street.
- Provide street lighting – show locations and type on site plan.
- Develop a site SWPPP and obtain a City Land Disturbance Permit prior to beginning site construction work.
- Obtain a City Excavation Permit for work in the City right-of-way.

The Murray City Water Division requires the following:

- Eliminate the 8" Master Meter for the FUJI Townhomes. The 1" water laterals with individual meters to each unit, is the preferred approach for this project. We will not allow master meters to be installed in asphalted areas.
- Specify where the irrigation meter will be located and the size
- We will require additional 8" Gate valves for isolation purposes.
    - x 1 where the connection is at Spring Clover Dr
    - x 2 at the water main tee for FUJI Avenue
    - x 1 at the tee east of the 2nd Fire Hydrant on FUJI Avenue
- Show the 6" Auxiliary Valves at the waterline tees for the fire hydrants.
- Follow the Master Meter specifications and requirements for the 8" Connection at Applegate's Waterline.
    - Page 21 - https://murray.utah.gov/DocumentCenter/View/13884/Spec-Book-2023-Updated-4142023?bidId=
- Must better describe how the contractor will disconnect and cap Applegate's privately owned water line that is west of the project
- All water work must be done to Murray City Water's Specification and Requirements.

The Murray City Wastewater Division requires the following:

- Plans must show and state on the utility sheet how existing sewer will be abandoned and capped. One manhole at the west end of development will have to be completely removed due to the shallowness of the manhole.
- Include manhole abandonment detail from Murray Wastewater specification book in the plans.
- Note on utility page all sewer work must meet Murray Wastewater specification.
- Some plan and profile pages do not match, please correct.
- All existing utilities must be maintained and protected during construction.
- Any gates that are installed for access must be coded and allowed for 24 HR emergency utility access for all utilities

Murray Power Department states:

- Please refer to previous comments. In addition, we will need a code to the proposed gate for 24-hour access to the power metering equipment. There will also be scheduled power outages that will need to be coordinated, by the developer, during the underground powerline relocation.
- The developer will need to meet with Murray City Power to discuss planning the new power service(s) and future equipment placement to the building(s) with additional line extension costs to provide electrical service. The developer must meet all Murray City Power Department requirements and the current NESC/NEC code and provide the required easement/clearance(s) for equipment and Power lines.
- **Please contact John Galanis 801-264-2723 for meter placement on the building(s) and proper metering equipment requirements before construction begins**

Murray Fire Department states:

- Must meet all International Fire Code (IFC) 2018/2021, along with any applicable National Fire Protection Association (NFPA) codes.
- Fire department access roads shall not exceed 10 percent grade IFC D103.2
- No parking signage and enforcement of fire department access roads. D103.6.2
- Where vertical distance between the grade plane and highest roof surface exceeds 30 ft, approved aerial fire apparatus access roads of 28' shall be provided. D105.1 with 503.2.2 Authority outriggers.
- Meet all applicable Fire Codes: **503.1.1 Buildings and facilities.; 503.5 Required gates or barricades; 503.5.1 Secured gates and barricades; 503.6 Security gates.; D102.1 Access and loading; D103.1 Access road width with a hydrant; D103.5 Fire apparatus access road gates; D103.6 Signs; D103.6.1 Roads 20 to 26 feet in width; D103.6.2 Roads more than 26 feet in width; D105.1 Where required; D105.2 Width; D105.3 Proximity to building; D105.4 Obstructions.**

The Building Official states:

- The Townhomes must meet all IRC requirements.

The Police Department states:

- If the community is to be a gated community, police would need the key code access in order to provide police services.

The preceding comments are addressed as conditions in the final section of this report.

VII. FINDINGS - SUBDIVISION AMENDMENT

Based on the analysis of the proposed subdivision, review of the applicable land use and subdivision requirements, and a survey of the surrounding area staff concludes the following:

1. With conditions, the proposed subdivision can comply with the standards of the Murray City Subdivision Ordinance.
2. With conditions, the proposed subdivision will allow for the sale of property which will provide for needed improvements to be made to the existing condominium units and property.
3. The proposed subdivision creates an opportunity for further residential development which is encouraged and supported by the 2017 Murray City General Plan in this area.

VIII. CONCLUSION/RECOMMENDATION - SUBDIVISION AMENDMENT

Based on the information presented in this report, application materials submitted, and a site review, staff recommends that the **Planning Commission GRANT the Preliminary and Final Subdivision Amendment Approval for the proposed Applegate Condominiums Amended Subdivision on property located at 770 West Applegate Drive** subject to the following conditions:

1. The project shall meet all requirement of the Murray City Engineer, including the following:

a) Meet City Subdivision requirements – City Code Title 16.
b) Meet Salt Lake County's requirements for plat recording – reviews by Salt Lake County Surveyor's Office and Recorder's Office are required.
c) Meet Salt Lake County addressing requirements for street name and unit addressing – Fuji Avenue needs to be changed to Fuji Way or Fuji Drive.
d) Delineate and designate with dimensions, boundaries, courses, and address coordinates the proposed street. Suggest showing this on a 2nd sheet with a 1" = 40' or larger scale so that it's legible.
e) Dedicate the triangular piece of property that extends into Spring Clover Drive to Murray City.
f) Dedicate the strip or property south of Applegate Drive that extends into Murray Blvd.
g) Recommendation – work with the property owners at 5313 South Majestic Village Cir. and 839 West Spring Clover Dr. to clean up the property line discrepancies.
h) Show drainage easements in locations that have drainage facilities.
i) Meet City storm drain requirements, on-site detention and retention of the 80th percentile storm is required. Implement Low Impact Development (LID) practices.
j) Provide an LID and drainage summary report.
k) Sidewalks, pedestrian ramps, and crosswalks must meet current City and ADA Standards.
l) Meet city street standards – street grades should not be less than 0.5% and no greater than 10%. Tapers or smooth transitions should be provided street connections and curves should not impede line of site.
m) Meet City utility requirements and provide PUE's within and along the proposed street for proposed gas, electric and communication lines.
n) Provide full plan and profile drawings of the proposed street and utilities.
o) Provide emergency only access gate meeting Fire Department requirements at Fuji connection to Spring Clover Drive.
p) Provide new water, sewer and storm drain in Fuji.
q) Based on the proposed street geometry, provide a design speed and speed limit signs.
r) Provide stop signs, coordinate markers at all street intersections and no parking signs along the proposed street.
s) Provide street lighting – show locations and type on site plan.
t) Develop a site SWPPP and obtain a City Land Disturbance Permit prior to beginning site construction work.
u) Obtain a City Excavation Permit for work in the City right-of-way.

2. The existing cell tower shall be relocated prior to recordation of the amended plat and prior to issuance of any building permits.
3. The applicant shall meet all International Fire Code (IFC) 2018.2021 along with National Fire Protection Association (NFPA) codes. Meet all standards including the number and placement of hydrants, adequate fire flow, and appropriate emergency service access and gates. See Department Comments for further details.
4. The applicant shall install and enforce "No parking" signage on Fuji Avenue for adequate fire safety access.
5. The project shall meet all Water, Wastewater and Power Department requirements.
6. The applicant shall install an 8-foot-high solid wall adjacent to any single-family dwellings

and must be installed prior to construction of any new dwellings.

7. The sidewalk shall be extended to the property line on Gravenstein Park.
8. The applicant shall provide amended Declarations for both the Applegate Condominiums and the Fuji Townhomes that demonstrate the clear shared use, maintenance, and improvement of the existing clubhouse and pool, and that demonstrate the necessary shared access and parking agreements will continue in perpetuity. A copy of the recorded Declarations is required to be provided to the Planning Division.
9. The applicant shall prepare a Final Amended Subdivision Plat with complies with all requirements of the Murray City Land Use Ordinance and with Title 16, Murray City Subdivision Ordinance and meet Salt Lake County Recorder's requirements.
10. The amended subdivision plat shall be recorded within one year of the final approval by the Planning Commission or the subdivision plat approval shall be null and void.

IX. CITY DEPARTMENT REVIEW - CONDITIONAL USE PERMIT

A Planning Review Meeting was held on May 30, 2023, where the proposed Conditional Use Permit for multi-family dwellings project was reviewed. City staff provided the following comments:

The Murray City Engineer requires the following conditions:

- Meet City subdivision requirements and standards – City Code Title 16.
- Meet City storm drain requirements, on-site detention and retention of the 80th percentile storm is required. Implement Low Impact Development (LID) practices.
- Provide an LID and drainage summary report.
- Storm drain detention and retention areas should not be used as dog parks.
- Sidewalks, pedestrian ramps, and crosswalks must meet current City and ADA Standards.
- Meet City street standards – street grades should not be less than 0.5% and no greater than 10%. Tapers or smooth transitions should be provided at street connections and curves should not impede line of site.
- Meet City utility requirements and provide PUE's withing and along the proposed street.
- Provide plan and profile drawings of the proposed street and utilities.
- Provide emergency only access gate meeting Fire Department requirements at Fuji connection to Spring Clover Drive.
- Provide new water, sewer and storm drain in street and reconnect existing utilities to the new utility lines.
- Maintain access and utility connections for the existing Applegate community.
- Based on the proposed street geometry, provide a design speed and speed limit signs.
- Provide stop signs and coordinate markers at all street intersections and no parking signs along the proposed street.
- Provide street lighting.
- Develop a site SWPPP and obtain a City Land Disturbance Permit prior to beginning site construction work.
- Obtain a City Excavation Permit for work in the City right-of-way.

The Murray City Building Official states:

- The applicant provide complete plans, calculations, and soils reports for building permit submittals.
- Townhomes to meet all the IRC requirements.

The Murray City Water Division requires the following:

- Eliminate the 8" Master Meter for the FUJI Townhomes. The 1" water laterals with individual meters to each unit, is the preferred approach for this project. We will not allow master meters to be installed in asphalted areas.
- Specify where the irrigation meter will be located and the size
- We will require additional 8" Gate valves for isolation purposes.
    - x 1 where the connection is at Spring Clover Dr
    - x 2 at the water main tee for FUJI Avenue
    - x 1 at the tee east of the 2nd Fire Hydrant on FUJI Avenue
- Show the 6" Auxiliary Valves at the waterline tees for the fire hydrants.

- Follow the Master Meter specifications and requirements for the 8" Connection at Applegate's Waterline.
    - Page 21 - https://murray.utah.gov/DocumentCenter/View/13884/Spec-Book-2023-Updated-4142023?bidId=
- Must better describe how the contractor will disconnect and cap Applegate's privately owned water line that is west of the project
- All water work must be done to Murray City Water's Specification and Requirements.

The Murray City Wastewater Division requires the following:

- Plans must show and state on the utility sheet how existing sewer will be abandoned and capped. One manhole at the west end of development will have to be completely removed due to the shallowness of the manhole.
- Include manhole abandonment detail from Murray Wastewater specification book in the plans.
- Note on utility page all sewer work must meet Murray Wastewater specification.
- Some plan and profile pages do not match, please correct.
- All existing utilities must be maintained and protected during construction.
- Any gates that are installed for access must be coded and allowed for 24 HR emergency utility access for all utilities

Murray Power Department states:

- Please refer to previous comments. In addition, we will need a code to the proposed gate for 24-hour access to the power metering equipment. There will also be scheduled power outages that will need to be coordinated, by the developer, during the underground powerline relocation.
- The developer will need to meet with Murray City Power to discuss planning the new power service(s) and future equipment placement to the building(s) with additional line extension costs to provide electrical service. The developer must meet all Murray City Power Department requirements and the current NESC/NEC code and provide the required easement/clearance(s) for equipment and Power lines.
- **Please contact John Galanis 801-264-2723 for meter placement on the building(s) and proper metering equipment requirements before construction begins**

Murray Fire Department states:

- Must meet all International Fire Code (IFC) 2018/2021, along with any applicable National Fire Protection Association (NFPA) codes.
- Fire department access roads shall not exceed 10 percent grade IFC D103.2
- No parking signage and enforcement of fire department access roads. D103.6.2
- Where vertical distance between the grade plane and highest roof surface exceeds 30 ft, approved aerial fire apparatus access roads of 28' shall be provided. D105.1 with 503.2.2 Authority outriggers.
- Meet all applicable Fire Codes: 503.1.1 Buildings and facilities.; 503.5 Required gates or barricades; 503.5.1 Secured gates and barricades; 503.6 Security gates.; D102.1 Access

and loading; D103.1 Access road width with a hydrant; D103.5 Fire apparatus access road gates; D103.6 Signs; D103.6.1 Roads 20 to 26 feet in width; D103.6.2 Roads more than 26 feet in width; D105.1 Where required; D105.2 Width; D105.3 Proximity to building; D105.4 Obstructions.

The Police Department states:

- If the community is to be a gated community, police would need the key code access in order to provide police services.

The preceding comments are addressed as conditions in the final section of this report.

X. FINDINGS - CONDITIONAL USE PERMIT

Based on the analyses of the Conditional Use Permit of the new multi-family leasing units for Fuji Townhomes and a survey of the surrounding area, staff concludes the following:

1. With conditions, the proposed multi-family project will comply with the standards of the Murray City Land Use Ordinance.
2. The proposed multi-family townhome units provide new and needed residential housing opportunities at appropriate density for the area, while providing improvements to existing housing and needed infrastructure.
3. The proposed multi-family project is in harmony with the Future Land Use Map and the objectives and goals of the Murray City General Plan.

XI. CONCLUSION/RECOMMENDATION - CONDITIONAL USE PERMIT

Based on the information presented in this report, application materials submitted and a site review, staff recommends that the **Planning Commission APPROVE the CONDITIONAL USE PERMIT to allow the proposed Fuji Townhomes located at approximately 770 West Applegate Drive** subject to the following conditions:

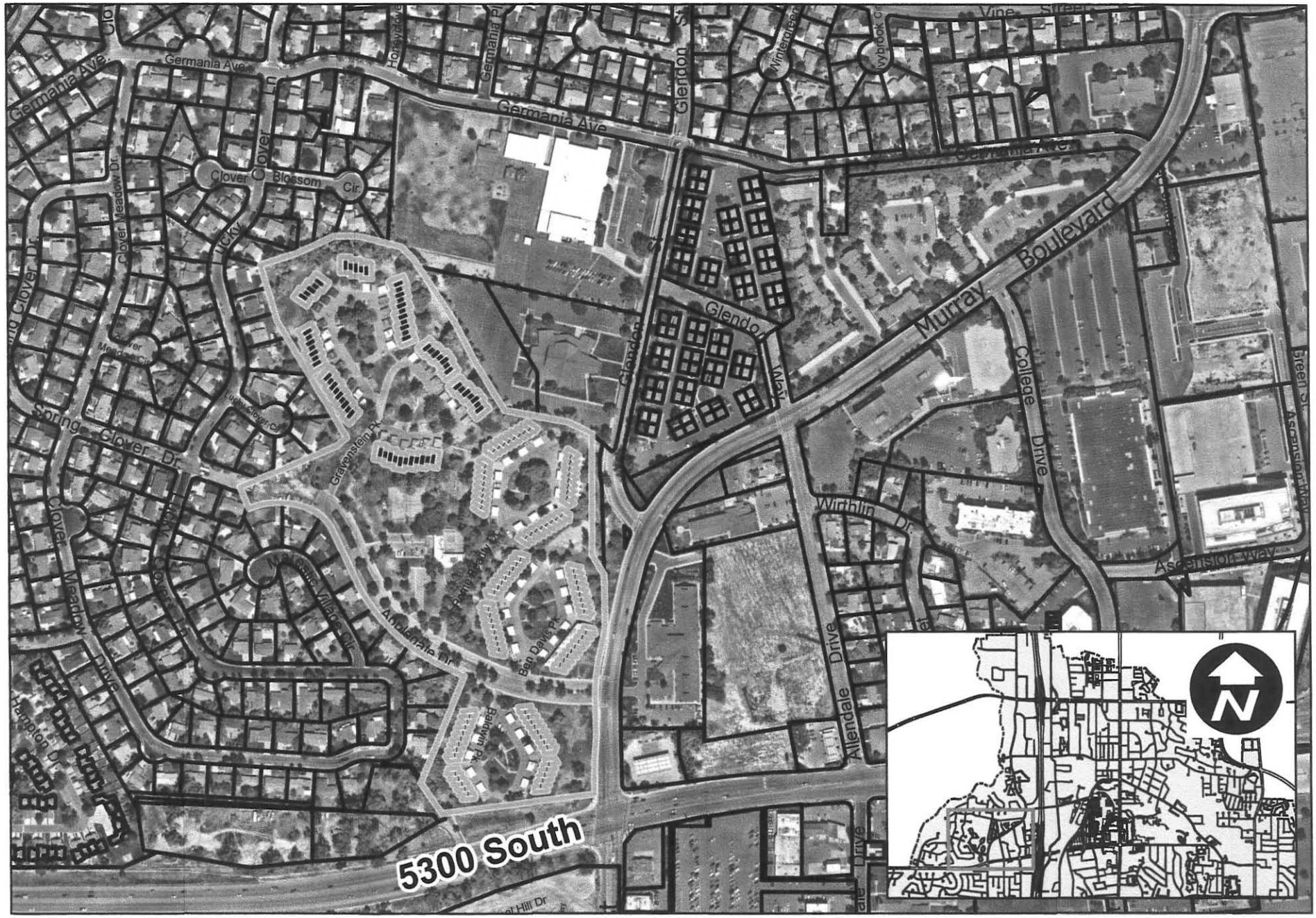
1. The project shall meet Murray City Engineering requirements including the following:
    a) Meet City subdivision requirements and standards – City Code Title 16.
    b) Meet City storm drain requirements, on-site detention and retention of the 80th percentile storm is required. Implement Low Impact Development (LID) practices.
    c) Provide an LID and drainage summary report.
    d) Storm drain detention and retention areas should not be used as dog parks.
    e) Sidewalks, pedestrian ramps, and crosswalks must meet current City and ADA Standards.
    f) Meet City street standards – street grades should not be less than 0.5% and no greater than 10%. Tapers or smooth transitions should be provided at street connections and curves should not impede line of site.
    g) Meet City utility requirements and provide PUE's within and along the proposed street.
    h) Provide plan and profile drawings of the proposed street and utilities.

i) Provide emergency only access gate meeting Fire Department requirements at Fuji connection to Spring Clover Drive.
j) Provide new water, sewer and storm drain in street and reconnect existing utilities to the new utility lines.
k) Maintain access and utility connections for the existing Applegate community.
l) Based on the proposed street geometry, provide a design speed and speed limit signs.
m) Provide stop signs and coordinate markers at all street intersections and no parking signs along the proposed street.
n) Provide street lighting.
o) Develop a site SWPPP and obtain a City Land Disturbance Permit prior to beginning site construction work.
p) Obtain a City Excavation Permit for work in the City right-of-way.

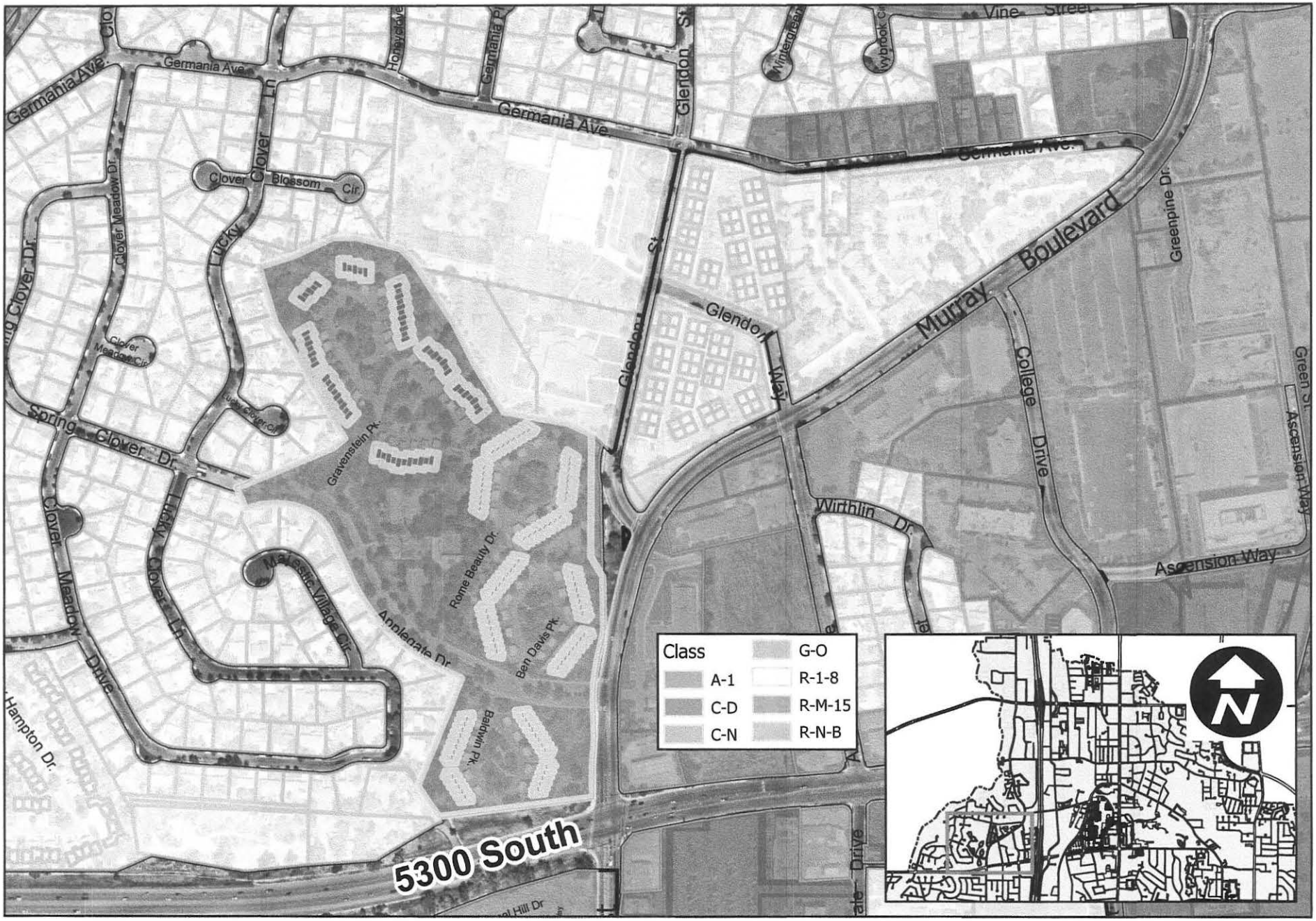
2. The existing cellular tower shall be relocated off the subject property prior to recordation of the Amended Applegate Subdivision and prior to issuance of any building permits.
3. The project shall meet all applicable Fire Code standards including number and placement of hydrants, adequate fire flow, and appropriate emergency service access.
4. The applicant shall install "No Parking" signage and be enforced on Fuji Avenue for adequate fire safety access.
5. The project shall meet all Water, Wastewater and Power Department requirements.
6. The applicant shall work with the Murray City Water Division to correct the design issues identified in this report.
7. The applicant shall install an eight-foot (8') solid masonry wall adjacent to all single-family dwellings.
8. The creation of the new parcel/lot on a private accessway prohibits any future potential subdivision for individual ownership (townhomes) per Section 16.16.090.
9. The applicant shall remove the dog park from the detention basin area.
10. The applicant shall provide an updated formal landscaping plan prepared and stamped by a licensed Utah Landscape Architect for all landscaping improvements on or associated with the project, meeting all requirements of Section 17.68 of the Murray City Land Use Ordinance prior to the first building permit submittal.
11. The applicant shall provide amended Declarations for both the Applegate Condominiums and the Fuji Townhomes that demonstrate the clear shared use, maintenance, and improvement of the existing clubhouse and pool, and that demonstrate the necessary shared access and parking agreements will continue in perpetuity. A copy of the recorded Declarations shall be provided to the Planning Division.
12. The applicant shall provide a copy of the recorded Reciprocal Easement Agreement to the Planning Division.
13. All new dwellings shall meet the maximum height of the R-M-15 Zone (Section 17.120).
14. The applicant shall provide complete plans, calculations, and soils reports for building permit submittals and to meet all Building Code requirements.

15. The applicant shall meet all of the R-M-15 Zone (Section 17.120) requirements.
16. The applicant/property owner shall obtain a business license for the rental units.
17. The sidewalk on the proposed (lot/parcel) shall be extended on at least one side of the private access on Gravenstein Park Drive.

770 West Applegate Drive



770 West Applegate Drive



MURRAY CITY CORPORATION
PUBLIC WORKS

MEMORANDUM

To: Murray City Planning Commission

Cc: Russ Kakala, Public Works Director
Doug Hill, Chief Administrative Officer
G.L., City Attorney
Jared Hall, Community and Economic Development Director
Joey Mittelman, Fire Chief
Jeff Puls – Fire Marshal
Craig Burnett, Police Chief
Doug Roberts, Assistant Police Chief
Susan Nixon, Senior Planner

From: Trae Stokes, City Engineer

Date: June 6, 2023

Re: Fuji Townhomes – Applegate Amended Subdivision

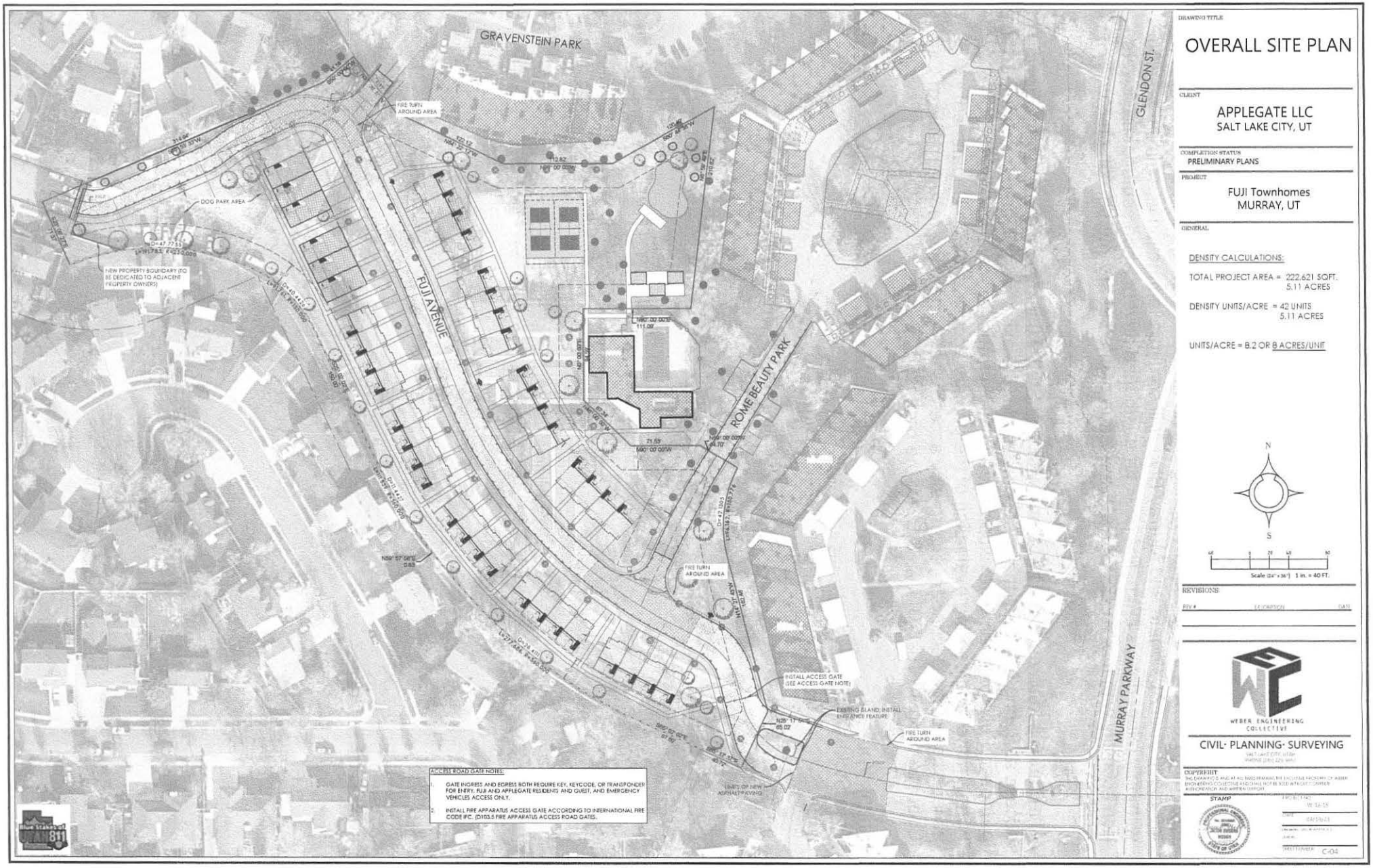
The Fuji Townhome applicant is proposing a newly aligned **private** street through the Applegate community that connects to Spring Clover Drive on the west as a secondary access and maintains the primary access to Murray Blvd. on the east – see attached layout. The applicant is also proposing a gate just west of Baldwin Park on Applegate Drive to prevent through traffic use of the private street. This proposal would allow Applegate and Fuji residents to have full access to both Spring Clover and Murray Blvd., but through use for all other traffic would be restricted by the proposed gate. While it's usually desirable to connect neighborhoods for improved two-way traffic circulation, the proposed private street with a gate prohibits circulation. The proposed street connection to Spring Clover will also push additional traffic into the neighborhood west and north of the development. Several streets in the neighborhood are already plagued with traffic and speeding issues, so pushing more traffic into the area is undesirable. To prevent additional traffic being pushed in the neighborhood to the west, I am recommending that the Spring Clover access be limited to a gated emergency access only. The gate will need to meet all fire code requirements for a secondary two-way emergency access and be controlled by Murray Fire Department.

Engineering Staff has reviewed and evaluated traffic data and counts provided in the project traffic impact and queue studies. Based on the unit counts, trip generation, traffic counts, and field observations, we're confident that level of service of the intersections evaluated in the studies will not decrease due to the proposed 42 units,

regardless of how the secondary Spring Clover access is configured. We also think the intersection of Applegate and Murray Blvd. will continue to function in a similar fashion with only minor delays in the PM peak for eastbound drivers when southbound drivers don't comply with the "KEEP CLEAR" message painted at the intersection on Murray Blvd.

After much scrutiny and deliberations with City Staff, I think the secondary emergency access at Spring Clover is the best approach for the existing Applegate Community, the proposed Fuji Townhome development and the surrounding neighborhoods. Furthermore, engineering evaluation of the primary access and Fire Department acceptance of the secondary emergency access should meet the requirements of City Code, Section 16.16.170 3. C. & D. for the proposed 42 units.

Thank You,
Trae Stokes, P.E.



DRAWING TITLE

OVERALL SITE PLAN

CLIENT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS
PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

DENSITY CALCULATIONS:

TOTAL PROJECT AREA = 222,621 SQFT.
5.11 ACRES

DENSITY UNITS/ACRE = 42 UNITS
5.11 ACRES

UNITS/ACRE = 8.2 OR 8 ACRES/UNIT

N

S

Scale (24"x36") 1 in. = 40 FT.

REVISIONS:

REV #	DESCRIPTION	DATE

WEBER ENGINEERING COLLECTIVE

CIVIL· PLANNING· SURVEYING

COPYRIGHT
THE DRAWINGS AND ALL NOTES REMAIN THE EXCLUSIVE PROPERTY OF WEBER ENGINEERING COLLECTIVE AND SHALL NOT BE USED WITHOUT THEIR EXPRESS WRITTEN CONSENT.

STAMP

PROJECT NO. W-16-18

DATE 04/19/23

DRAWN BY

CHECKED BY

SHEET NUMBER C-04

MURRAY CITY CORPORATION
COMMUNITY & ECONOMIC DEVELOPMENT

Planning Division 801-270-2430

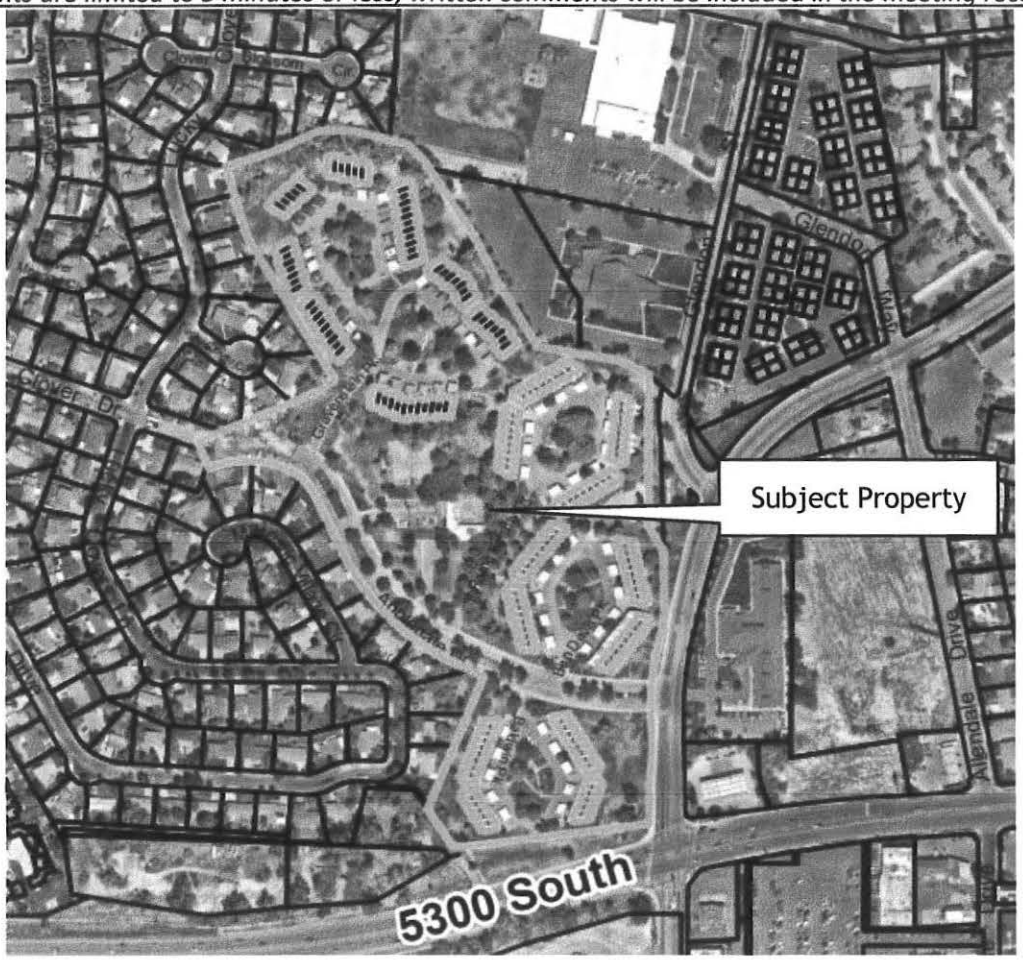
NOTICE OF PUBLIC HEARING

June 15, 2023, 6:30 PM

The Murray City Planning Commission will hold a public hearing on Thursday, **June 15, 2023, at 6:30** p.m. in the **Murray City Municipal Council Chambers, located at 10 West 4800 South Street** to receive public comment on the following applications made by representatives of Applegate LLC on the property generally addressed **770 West Applegate Drive** (see attached plan):

- **Preliminary & Final Subdivision approval to amend the Applegate Condominium Subdivision on property located at 770 West Applegate Drive by subdividing into two parcels, creating a new 5.11-acre parcel for development.**
- **The subdivision amendment will include the realignment of Applegate Drive and connect to Spring Clover Drive.**
- **A Conditional Use Permit for Fuji Townhomes, 42-unit townhomes for lease, created on the new 5.11-acre parcel. See attached plan.**

The meeting is open, and the public is welcome to attend in person or you may submit comments via email at planningcommission@murray.utah.gov. If you would like to view the meeting online, you may watch via livestream at www.murraycitylive.com or www.facebook.com/MurrayCityUtah/.
Comments are limited to 3 minutes or less, written comments will be included in the meeting record.



Public Notice Dated |June 1, 2023

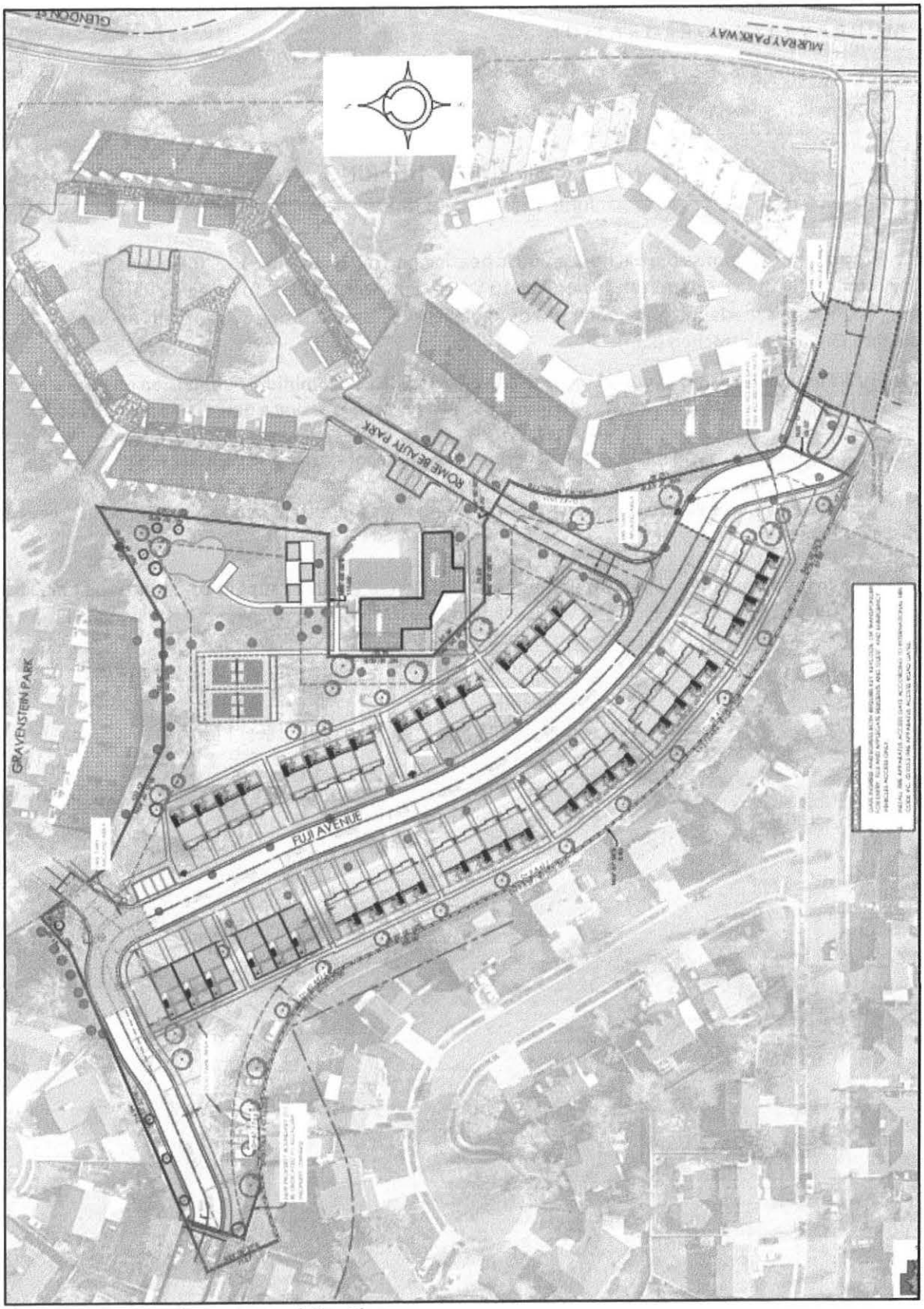


*Exhibit: Proposed New Lot and Site Plan.

This notice is being sent to you because you own property within 500 feet of the subject property. If you have questions or comments concerning this proposal, please contact Susan Nixon at snixon@murray.utah.gov, at 801-270-2430 or the planning division at planning@murray.utah.gov.

SUBDIVISION & FLAG LOT APPLICATION

Project #_____

Type of Application (check all that apply):

☐ **Preliminary Subdivision** ☐ **Final Subdivision** ☒ **Subdivision Amendment**

Subdivision Name: Applegate Condominiums

Subject Property Address: 770 West Applegate Drive, Murray Utah

Parcel Identification (Sidwell) Number: 21114781740000

Parcel Area: 5.11 Acres Current Use: Medium Density Townhomes

Zoning Classification: RM-15

Applicant Name: Applegate LLC

Mailing Address: 2150 South 1300 East, Ste. 500

City, State, ZIP: Salt Lake City, Utah, 84106

Daytime Phone #: (385) 355-4612 Fax #: _____

Email Address: FujiTownhomes@gmail.com

Business Name (If applicable): _____

Property Owner's Name (If different): Applegate HOA

Property Owner's Mailing Address: P.O. Box 802

City, State, Zip: Draper, Utah, 84020

Daytime Phone #: (801) 285-9800 Fax #: _____

Describe your request in detail (use additional page if necessary):

Amending Applegate Condominium Subdivision Plat

Authorized Signature: _____ Date: 4/27/23

Project #_____

CONDITIONAL USE PERMIT APPLICATION

Type of Application (check all that apply):

☒ **New Construction** ☐ **Land use change** ☐ **Remodel** ☐ **Addition**

Subject Property Address: **770 West Applegate Drive, Murray Utah**

Parcel Identification (Sidwell) Number: **TBD**

Parcel Area: 5.11 Acres Current Use: **Cell Tower - HOA Common Area**

Floor Area:_____ Zoning Classification: **RM-15** LU#_____

Applicant Name: **Applegate LLC**

Mailing Address: **2150 South 1300 East, Ste. 500**

City, State, ZIP: **Salt Lake City, UT 84106**

Daytime Phone #: **(385) 355-4612** Fax #:_____

Email Address: **FujiTownhomes@gmail.com**

Business or Project Name : **Fuji Townhomes**

Property Owner's Name (If different): **Applegate HOA**

Property Owner's Mailing Address: **PO Box 802**

City, State, Zip: **Draper, UT 84020**

Daytime Phone #: **(801) 285-9800** Fax #:_____

Email address: **office@corehoa.com**

Describe your request in detail (use additional page if necessary):

Conditional Use Permit for 42 New Townhomes

Authorized Signature:_____ Date: 4/27/23

Project #_____

Property Owners Affidavit

I (we) Michelle Jarman Applegate HOA President, being first duly sworn, depose and say that I (we) am (are) the current owner of the property involved in this application: that I (we) have read the application and attached plans and other exhibits and are familiar with its contents; and that said contents are in all respects true and correct based upon my personal knowledge.

Michelle Jarman
Owner's Signature

Owner's Signature (co-owner if any)

State of Utah

County of Salt Lake §

Subscribed and sworn to before me this 16 day of February, 2023.

Notary Public

Residing in Millcreek, UT My commission expires: 5-5-2023

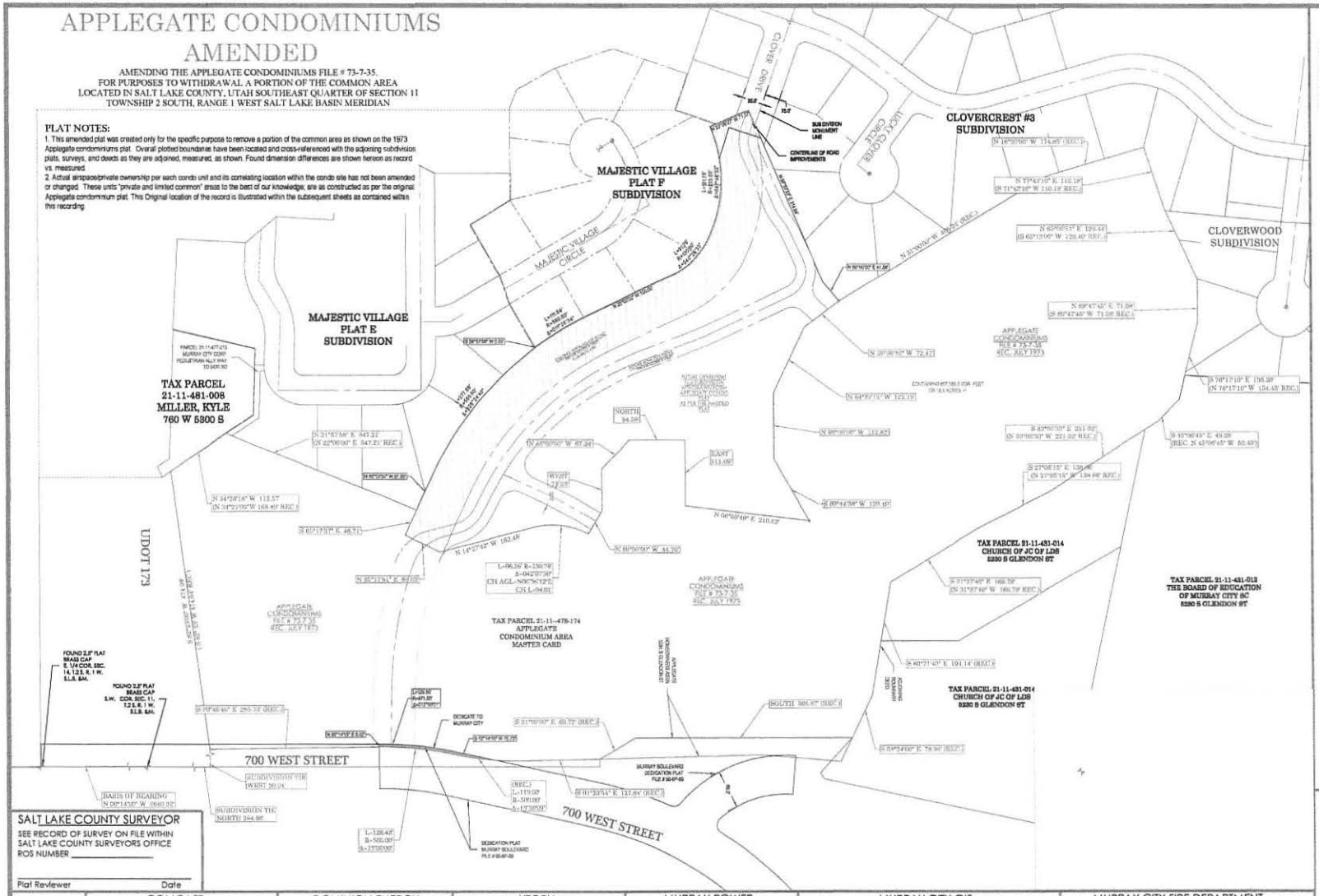
MICHAEL IVINS
NOTARY PUBLIC-STATE OF UTAH
COMMISSION# 706002
COMM. EXP. 05-05-2023

APPLEGATE CONDOMINIUMS AMENDED

AMENDING THE APPLEGATE CONDOMINIUMS FILE # 73-7-35.
FOR PURPOSES TO WITHDRAWAL A PORTION OF THE COMMON AREA
LOCATED IN SALT LAKE COUNTY, UTAH SOUTHEAST QUARTER OF SECTION 11
TOWNSHIP 2 SOUTH, RANGE 1 WEST SALT LAKE BASIN MERIDIAN

PLAT NOTES:

1. This amended plat was created only for the specific purpose to remove a portion of the common area as shown on the 1973 Applegate condominiums plat. Overall platted boundaries have been located and cross-referenced with the adjoining subdivision plats, surveys, and deeds as they are adjoined, measured, as shown. Found dimension differences are shown hereon as record vs. measured.
2. Actual airspace/private ownership per each condo unit and its correlating location within the condo site has not been amended or changed. These units "private and limited common" areas to the best of our knowledge, are as constructed as per the original Applegate condominium plat. This Original location of the record is illustrated within the subsequent sheets as contained within this recording.



SALT LAKE COUNTY SURVEYOR

SEE RECORD OF SURVEY ON FILE WITHIN SALT LAKE COUNTY SURVEYORS OFFICE
ROS NUMBER _____

Plat Reviewer _____ Date _____

SURVEYOR'S CERTIFICATE

I, Shane Johnson, do hereby certify that I am a Professional Land Surveyor in the State of Utah and that I hold License No.7075114 in accordance with Title 58, Chapter 22, of the Professional Engineers and Land Surveyors Act; I further certify that by authority of the owners I have completed a survey of the property described on this subdivision plat in accordance with Section 17-23-17 and have verified all measurements;
that the reference monuments shown on this plat are located as indicated and are sufficient to retrace or reestablish this plat; and that the information shown herein is sufficient to accurately establish the lateral boundaries of the herein described tract of real property; hereafter known as Applegate Condominiums Amended

AMENDED BOUNDARY DESCRIPTION

Beginning at a point that is located North 284.86 feet and West 30.84 feet from the Southeast corner of Section 11, Township 2 South, Range 1 West, Salt Lake Base and Meridian;
Thence South 82° 23' 00" West a distance of 474.09 feet, Thence North 34° 26' 18" West a distance of 112.57 feet, Thence North 21° 57' 58" East a distance of 347.21 feet, Thence South 65° 17' 37" East a distance of 46.71 feet, Thence North 25° 17' 51" East a distance of 65.02 feet, Thence North 14° 27' 43" West a distance of 162.46 feet to the beginning of a curve, Said curve bears to the right through an angle of 42° 07' 50", having a radius of 130.78 feet along the arc a distance of 96.16 feet, and whose long chord bears North 06° 36' 12" East a distance of 94.01 feet to a point of intersection with a non-tangential line, Thence North 59° 00' 00" West a distance of 44.70 feet, Thence North 90° 00' 00" West a distance of 71.53 feet, Thence North 46° 00' 00" West a distance of 67.34 feet, Thence North 00° 00' 00" East a distance of 94.59 feet, Thence North 90° 00' 00" East a distance of 111.09 feet, Thence North 06° 59' 49" East a distance of 210.62 feet, Thence South 60° 44' 38" West a distance of 120.40 feet, Thence North 90° 00' 00" West a distance of 112.82 feet, Thence North 64° 22' 12" West a distance of 122.12 feet, Thence North 36° 36' 10" West a distance of 72.41 feet, Thence North 31° 00' 00" West a distance of 406.24 feet, Thence North 16° 30' 00" West a distance of 174.85 feet, Thence North 71° 43' 10" East a distance of 110.19 feet, Thence North 65° 06' 51" East a distance of 129.44 feet, Thence North 89° 47' 45" East a distance of 71.08 feet, Thence South 76° 17' 10" East a distance of 136.20 feet, Thence South 45° 06' 45" East a distance of 49.28 feet, Thence South 32° 05' 35" East a distance of 221.02 feet, Thence South 27° 05' 15" East a distance of 138.86 feet, Thence South 31° 37' 40" East a distance of 169.79 feet, Thence South 80° 21' 40" East a distance of 194.14 feet, Thence South 64° 34' 00" East a distance of 78.94 feet, Thence South 00° 00' 00" West a distance of 366.87 feet, Thence South 31° 00' 00" East a distance of 69.72 feet, Thence South 01° 23' 54" East a distance of 127.84 feet to the beginning of a curve, Said curve bears to the right through 13° 38' 09", having a radius of 500.00 feet along the arc a distance of 119.00 feet, and whose long chord bears South 05° 25' 10" West a distance of 118.71 feet to the beginning of a non-tangential curve, Said curve bears to the left through an angle of 13° 00' 00", having a radius of 566.00 feet along the arc a distance of 128.42 feet, and whose long chord bears South 05° 44' 15" West a distance of 128.15 feet, Thence South 00° 45' 45" East a distance of 285.72 feet to the point of beginning.

Containing 807,586 Sq. Ft. or 18.54 Acres

OWNER'S DEDICATION

Know all men by these presents that _____ the undersigned owner(s) of the above described tract of land having caused same to be subdivided into lots and streets to be hereafter known as

AMENDMENT TO APPLEGATE CONDOMINIUMS

do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for public use.
In witness whereof we have hereunto set our hands this _____ day of _____ 20_____.

_____ _____

NOTARY ACKNOWLEDGMENT

State of Utah)
: ss.
County of Salt Lake)

The foregoing Owner's Dedication of the AMENDMENT TO APPLEGATE CONDOMINIUMS, was signed before me this _____ day of _____ by _____ as Manager of _____, a Utah limited liability company, and by _____, a Utah limited liability company, each of whom personally appeared before me and duly acknowledged that the foregoing was Owner's Dedication was executed by authority.

Commission Number _____

My Commission Expires _____

_____ _____
Printed name A Notary Public Commissioned in Utah

AMENDMENT TO APPLEGATE CONDOMINIUMS

AMENDING THE APPLEGATE CONDOMINIUMS FILE # 73-7-35.
FOR PURPOSES TO WITHDRAWAL A PORTION OF THE COMMON AREA
LOCATED IN SALT LAKE COUNTY, UTAH SOUTHEAST QUARTER OF SECTION 11
TOWNSHIP 2 SOUTH, RANGE 1 WEST SALT LAKE BASIN MERIDIAN

JOHANSEN SURVEYING — SURVEYS • DESIGN • PLATS • PLANNING
PROFESSIONAL LAND SURVEYORS
P.O. BOX 1594, SALT LAKE CITY, UTAH 84110
Shane Johansen P.L.S. 801-815-2541

PREPARED 4/19/2023

	COMCAST APPROVED THIS _____ DAY OF _____, A.D. 20 ____ BY COMCAST. _____ SIGN	DOMINION ENERGY APPROVED THIS _____ DAY OF _____, A.D. 20 ____ BY DOMINION ENERGY. _____ SIGN	UTOPIA APPROVED THIS _____ DAY OF _____, A.D. 20 ____ BY UTOPIA. _____ SIGN	MURRAY POWER APPROVED THIS _____ DAY OF _____, A.D. 20____. _____ BY:	MURRAY CITY GIS PRESENTED TO MURRAY CITY THIS _____ DAY OF _____, A.D. 20 ____ AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED. _____ _____ ATTEST MAYOR	MURRAY CITY FIRE DEPARTMENT APPROVED THIS _____ DAY OF _____, A.D. 20____. _____ MURRAY CITY FIRE DEPARTMENT
NUMBER____ ACCOUNT____ SHEET 1 OF 8 SHEETS	MURRAY CITY UTILITIES APPROVED THIS _____ DAY OF _____, A.D. 20____. BY MURRAY CITY SEWER AND WATER _____ MURRAY CITY WATER AND SEWER MANAGER	HEALTH DEPARTMENT APPROVED THIS _____ DAY OF _____, A.D. 20 ____ BY THE SALT LAKE VALLEY HEALTH DEPT. _____ S. L. COUNTY HEALTH DEPARTMENT	CITY PLANNING COMMISSION APPROVED THIS _____ DAY OF _____, A.D. 20 ____ BY THE MURRAY CITY PLANNING COMMISSION. _____ MURRAY PLANNING COMMISSION	APPROVAL AS TO FORM APPROVED AS TO FORM THIS____ DAY OF_____, A.D. 20 ____ _____ MURRAY CITY ATTORNEY	MURRAY CITY ENGINEER I HEREBY CERTIFY THAT THE OFFICE HAS EXAMINED THE PLAT AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE. _____ _____ CITY ENGINEER DATE	MURRAY CITY MAYOR PRESENTED TO THE MAYOR OF MURRAY CITY COUNCIL THIS DAY OF_____, A.D. 20____ AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED. _____ _____ MAYOR ATTEST: CLERK

SALT LAKE COUNTY RECORDED #_____

STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF_____

DATE_____ TIME:_____ BOOK:_____ PAGE:_____

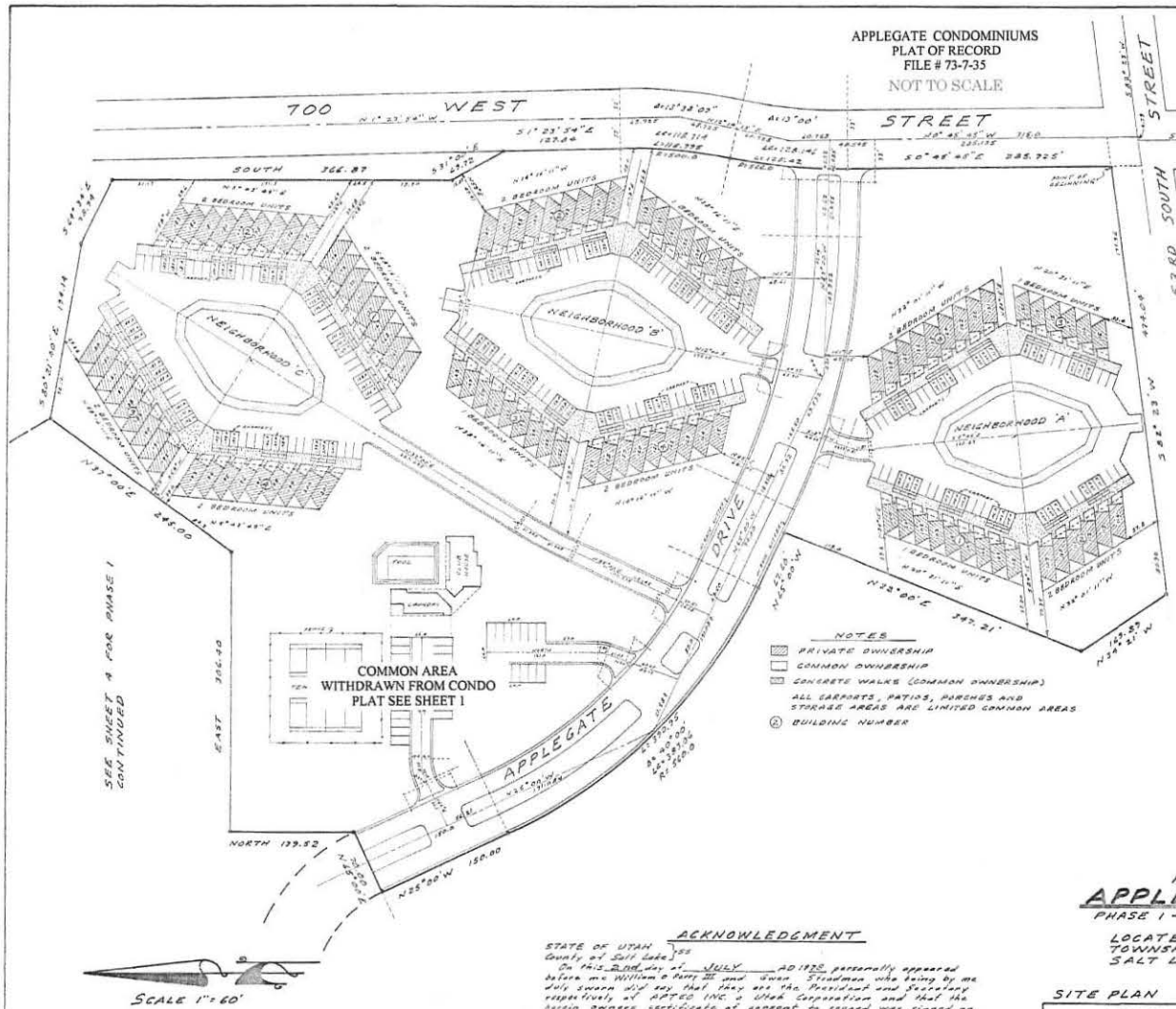
_____ _____
FEE DEPUTY SALT LAKE COUNTY RECORDER

NUMBER____
ACCOUNT____
SHEET 1
OF 8 SHEETS

AMENDMENT TO APPLEGATE CONDOMINIUMS

AMENDING THE APPLEGATE CONDOMINIUMS FILE # 73-7-35. FOR PURPOSES TO WITHDRAWAL A PORTION OF THE COMMON AREA. LOCATED IN SALT LAKE COUNTY, UTAH SOUTHEAST QUARTER OF SECTION 11 TOWNSHIP 2 SOUTH, RANGE 1 WEST SALT LAKE BASIN MERIDIAN

APPLEGATE CONDOMINIUMS
PLAT OF RECORD
FILE # 73-7-35
NOT TO SCALE



NOTES
- PRIVATE OWNERSHIP
- COMMON OWNERSHIP
- CONCRETE WALKS (COMMON OWNERSHIP)

ALL CARPORTS, PATIOS, PORCHES AND STORAGE AREAS ARE LIMITED COMMON AREAS

(2) BUILDING NUMBER

SURVEYOR'S

I ROBERT D JONES a
holding Certificate No
I have surveyed the
I further certify that
correctly describes the
been or will be constr
CONDOMINIUMS PHASE
Project in accordance
Ownership Act. I furt
markers as shown on
as shown and are suff
re-establish this surv

Beginning at a point
30.02 feet from the Sou
11, Township 2 South, R
Base and Meridian and
434.04 feet; thence N
N 22°00'E 347.21 fee
feet to a point of a
the right; thence Nor
of said curve 220.95
tangency; thence N 2
42°00'E 360.00 fe
feet; thence East 3
295.00 feet to a point
only bank of a drain
along said bank 130.14
along said bank 78.94
feet; thence S 21°00'E
line of a Murray City
west line as follows
a point of a 500.00 fo
right; thence Southerly
curve 118.293 feet to a
to the left; the radius
45°E 566.00 feet; the
of said curve 122.42 f
thence S 8°45'45"E
of beginning. Contain

Date July 5 1973

OWNER'S CE
OF CONSENT

Know all men by these pr
a Utah Corporation, is the
properly described herein
Utah Condominium Owners
to the recordation of the
APPLEGATE CONDOMINIU

APTEC
a Utah Corpo

William D. Peery III
William D. Peery III President

ACKNOWLEDGEMENT

STATE OF UTAH } ss
County of Salt Lake }

On this 2nd day of JULY AD 1973 personally appeared before me William D Peery III and Susan Steadman who being by me duly sworn did say that they are the President and Secretary respectively, of APTEC INC a Utah Corporation and that the herein owners certificate of consent to record was signed on behalf of said corporation by authority of its by-laws or a resolution of its Board of Directors, and said William D Peery III and Susan Steadman acknowledged to me that said corporation executed the same

My Commission Expires June 7 1976
Residing in Salt Lake County.

N. C. Breidenbach
Notary Public

RECORD OF SURVEY
APPLEGATE COND
PHASE 1 - A UTAH CONDOMINI
LOCATED IN THE SE 1/4 OF SE
TOWNSHIP 2 SOUTH, RANGE
SALT LAKE BASE AND MERIC

SITE PLAN

PREPARED BY
BUSH & GUDGELL INC.
ENGINEERS-SURVEYORS
555 SOUTH 3RD EAST ST.
SALT LAKE CITY, UTAH
84111 PHONE 364-1775

846 26140 ERJ

RECO
STATE OF UTA
RECORDED AND
McGhie Land
DATE July 1973 TIM
$ 13.00 FEE

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JOHANSON
PROFESSIONAL LAND SURVEYORS
SURVEY · DESIGN · SEPTIC PLANNING
SURVEYING

P.O. BOX 18941
SALT LAKE CITY, UTAH 84118
Shane Johanson PLS 801-815-2541

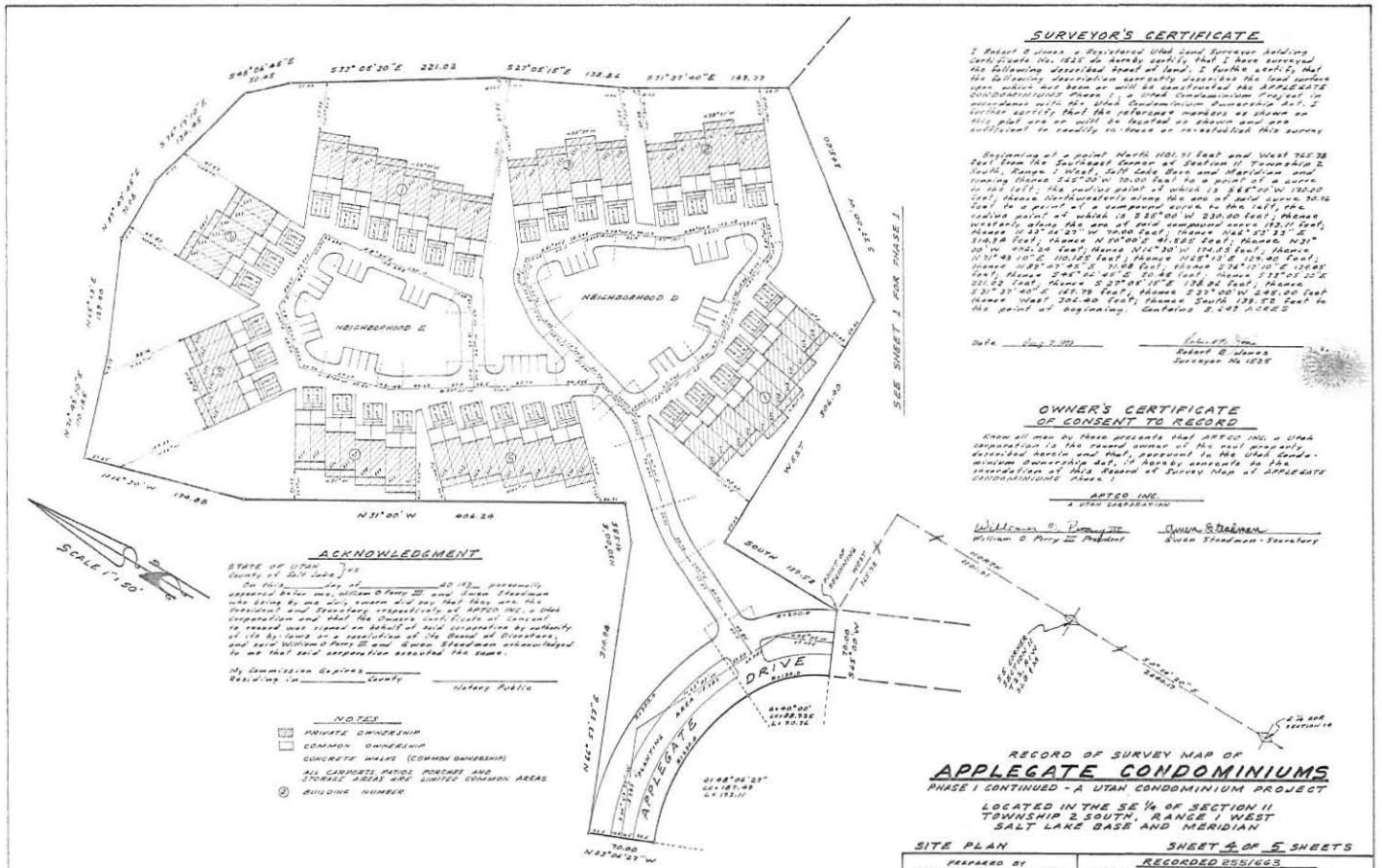
SALT LAKE COUNTY RECORDED #
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF

DATE TIME: BOOK: PAGE:

FEE SALT LAKE COUNTY RECORDER

NUMBER
ACCOUNT
SHEET 2
OF 6 SHEETS

APPLEGATE CONDOMINIUMS
PLAT OF RECORD
FILE # 73-7-35
NOT TO SCALE


NEIGHBORHOOD D
NEIGHBORHOOD E
APPLEGATES
DRIVE
SEE SHEET 1 FOR PHASE 1
SCALE 1" = 50'
N31°00'W 406.24
S31°00'E 406.24
S 27°05'15" E 138.84
S 31°33'40" E 149.73
S 23°05'30" E 221.02
S 48°06'45" E 50.00
S 23°04'23" W 70.00
S 48°06'45" E 50.00
S 23°04'23" W 70.00
N 23°04'23" W 70.00
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N 23°04'23" W 70.00
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S 23°04'23" W 70.00
N 48°06'45" W 50.00
S

APPLEGATE CONDOMINIUMS
PLAT OF RECORD
FILE # 73-7-35
NOT TO SCALE

TYPICAL PARTY WALL
1 BEDROOM & 2 BEDROOM
UNITS - SHEET 2 AND 3

SEE SHEET 3 FOR TYPICAL FIRE WALL

NOTES
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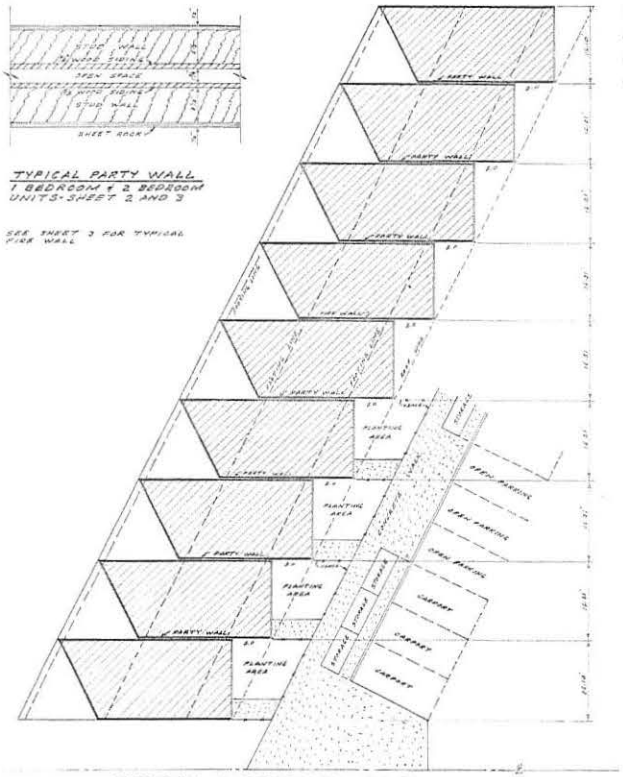
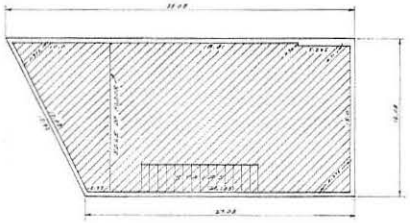
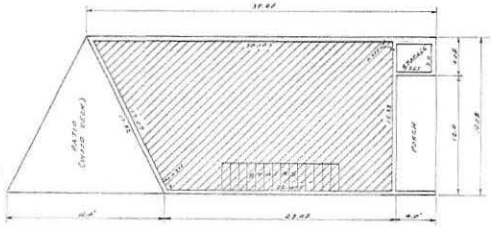


TYPICAL 1 BEDROOM UNIT

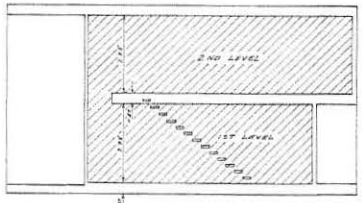
SCALE 1" = 10'



2ND LEVEL
1 BEDROOM UNIT
SCALE 1" = 5'



1ST LEVEL
1 BEDROOM UNIT
SCALE 1" = 5'



ELEVATION
1 BEDROOM UNIT
SCALE 1" = 5'

APPLEGATE CONDOMINIUMS
PHASE 1 - A UTAH CONDOMINIUM PROJECT

SHEET 2 OF 5 SHEETS

CERTIFICATION
I CERTIFY THAT THE BUILDING SPECIFICATIONS OF THE 1 BEDROOM UNIT OF APPLEGATE CONDOMINIUMS PHASE 1 ARE OR WILL BE AS SHOWN ON THIS PLAT

ROBERT C. JANES
SURVEYOR No. 1626

PREPARED BY
BUSH & GUDGELL INC.
ENGINEERS - SURVEYORS
555 SOUTH 300 EAST ST.
SALT LAKE CITY, UTAH
84111
PHONE 328-9555

8/6 24140 EAJ

RECORDED 255/663
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF
McGhie Land Title
DATE 3 JAN 1973 TIME 12:53 BOOK 73-7 PAGE 35
$3.00 FEE
Gladden Hayden
SALT LAKE COUNTY RECORDER

AMENDMENT TO APPLEGATE CONDOMINIUMS

AMENDING THE APPLEGATE CONDOMINIUMS FILE # 73-7-35. FOR PURPOSES TO WITHDRAWAL A PORTION OF THE COMMON AREA. LOCATED IN SALT LAKE COUNTY, UTAH SOUTHEAST QUARTER OF SECTION 11 TOWNSHIP 2 SOUTH, RANGE 1 WEST SALT LAKE BASIN MERIDIAN

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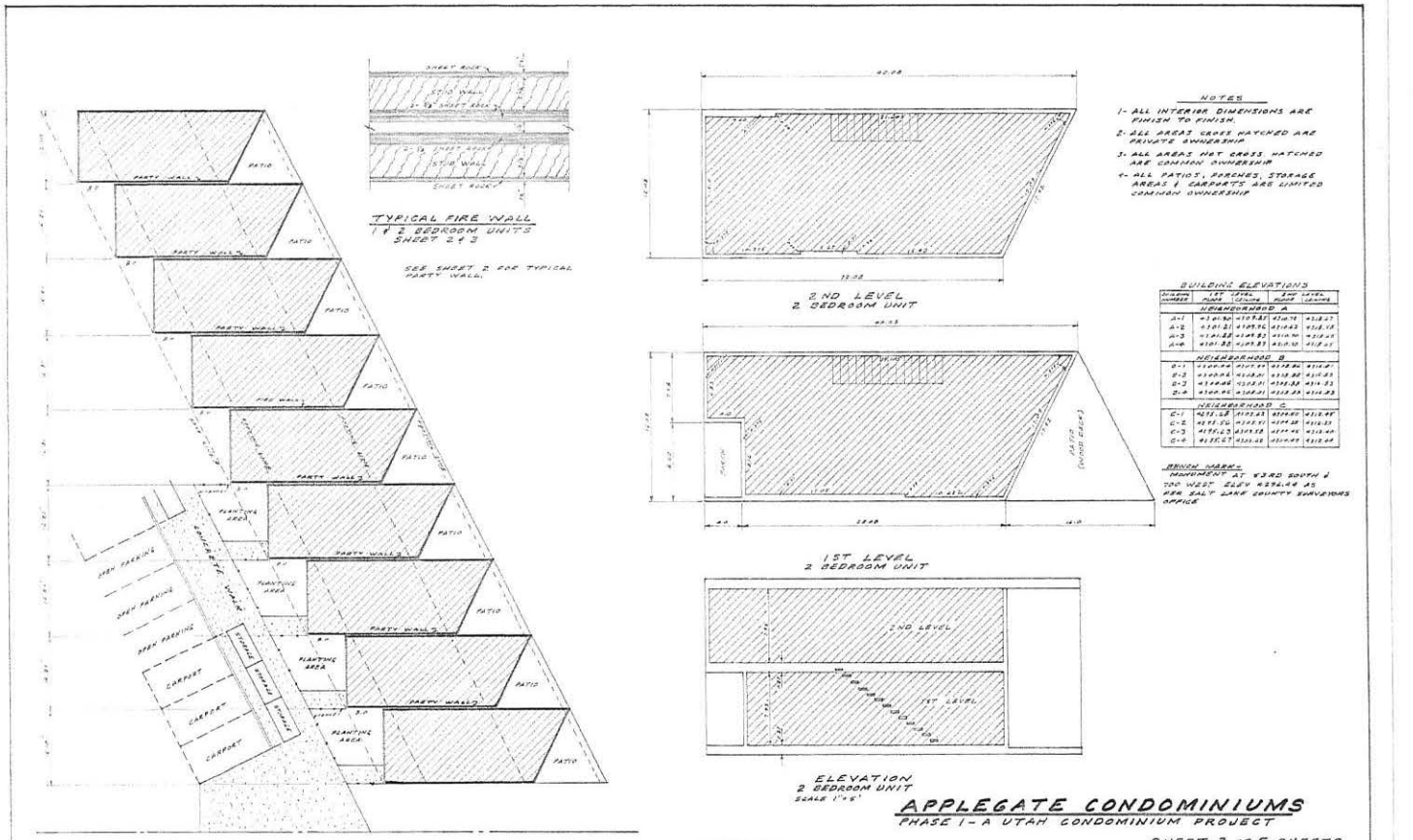
JOHANSEN SURVEYING
PROFESSIONAL LAND SURVEYORS
SURVEY • DESIGN • SEPTIC PLANNING

P.O. BOX 95941
SALT LAKE CITY, UTAH 84118
Shane Johansen P.L.S. 801-815-2541

SALT LAKE COUNTY RECORDED #
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF
DATE TIME BOOK PAGE
FEE SALT LAKE COUNTY RECORDER

NUMBER
ACCOUNT
SHEET 4
OF 6 SHEETS

APPLEGATE CONDOMINIUMS
PLAT OF RECORD
FILE # 73-7-35
NOT TO SCALE



APPLEGATE CONDOMINIUMS
PHASE I - A UTAH CONDOMINIUM PROJECT

SHEET 3 OF 5 SHEETS

CERTIFICATION
I CERTIFY THAT THE BUILDING SPECIFICATIONS OF THE 2 BEDROOM UNIT OF APPLEGATE CONDOMINIUMS PHASE I ARE OR WILL BE AS SHOWN ON THIS PLAT
ROBERT [illegible]
SURVEYOR 1226

PREPARED BY
BUSH & GUDGELL INC.
ENGINEERS-SURVEYORS
555 SOUTH 3RD EAST ST.
SALT LAKE CITY, UTAH
84111 PHONE 364-7536
814 26140 BRJ

RECORDED 255/663
STATE OF UTAH COUNTY OF SALT LAKE
RECORDED AND FILED AT THE REQUEST OF
McGhie Land Title
DATE 23 Jul 1973 TIME 12:05 BOOK 72-JULY PAGE 35
Clarence D. Olsen
SALT LAKE COUNTY RECORDER

73-1-35

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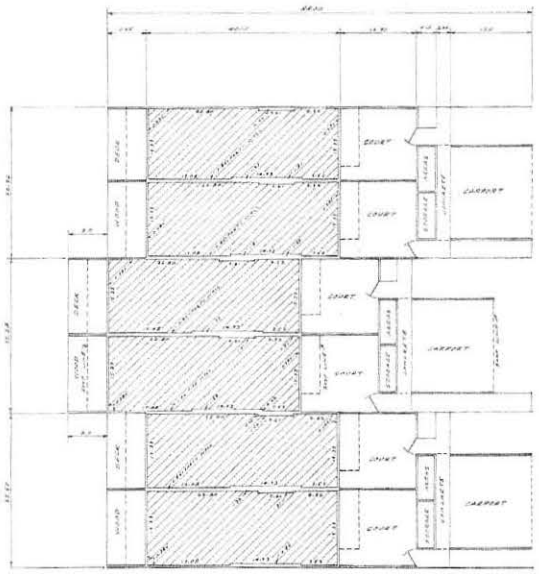
JOHANSON PROFESSIONAL LAND SURVEYORS
SURVEY • DESIGN • SEPTIC PLANNING
SURVEYING
P.O. BOX 95941
SALT LAKE CITY, UTAH 84195
Diane Johansen P.L.S. 181495-2201

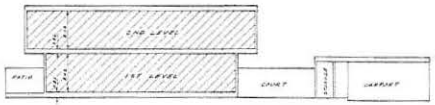
SALT LAKE COUNTY RECORDED #_____
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF_____
DATE_____ TIME:_____ BOOK:_____ PAGE:_____
FEE SALT LAKE COUNTY RECORDER

NUMBER____
ACCOUNT____
SHEET 6
OF 6 SHEETS

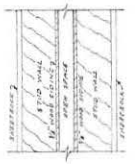
APPLEGATE CONDOMINIUMS
PLAT OF RECORD
FILE # 73-7-35
NOT TO SCALE



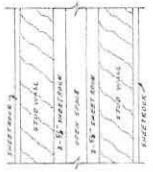
TYPICAL 1ST LEVEL
SCALE 1"=10'



TYPICAL SECTION VIEW
3 BEDROOM UNIT
SCALE 1"=10'



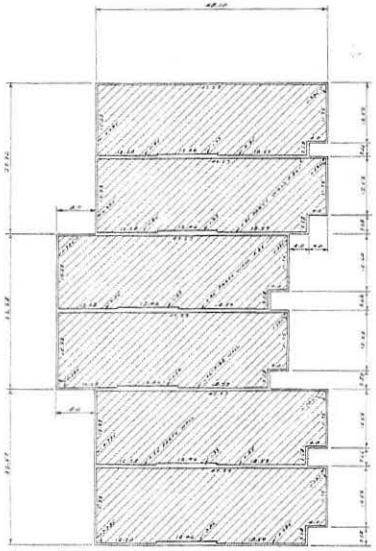
TYPICAL PARTY WALL



TYPICAL FIRE WALL

CERTIFICATION
I CERTIFY THAT THE BUILDING SPECIFICATIONS OF THE 3 BEDROOM UNIT OF APPLEGATE CONDOMINIUMS PHASE 1 ARE OR WILL BE AS SHOWN ON THIS PLAT

Robert D. Dixon
ROBERT D. DIXON
SURVEYOR NO. 161258



TYPICAL 2ND LEVEL
SCALE 1"=10'

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4. ALL PATIOS, FENCES, STORAGE AREAS & CARPETS ARE LIMITED COMMON OWNERSHIP

BUILDING ELEVATIONS

NEIGHBORHOOD D				
BUILDING NO	1ST LEVEL		2ND LEVEL	
	FLOOR	CEILING	FLOOR	CEILING
D-1	4293.50	4301.42	4301.48	4309.50
D-2	4293.50	4301.33	4302.38	4310.40
D-3	4293.50	4301.33	4302.38	4310.40
NEIGHBORHOOD E				
E-1	4295.50	4304.42	4305.38	4313.40
E-2	4295.50	4303.33	4304.38	4312.40
E-3	4296.00	4304.08	4304.88	4312.90
E-4	4295.50	4304.42	4305.38	4313.40
E-5	4295.50	4304.42	4304.38	4312.40

BENCH MARK
MONUMENT AT 5360 SOUTH AND 300 WEST
ELEV. 4291.99 AS PER SALT LAKE COUNTY SURVEYORS OFFICE

APPLEGATE CONDOMINIUMS
PHASE 1 - CONTINUED A UTAH CONDOMINIUM PROJECT

SHEET 5 OF 5 SHEETS

RECORDED 251663
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF
Mc Gill Land Title
DATE 3 Sept 1973 TIME 10:18 A BOOK 29-7 PAGE 35
FEE 3.00
Gerdian Martin
SALT LAKE COUNTY RECORDER

73-7-35

AMENDMENT TO APPLEGATE CONDOMINIUMS

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SURVEYING
P.O. BOX 16641
SALT LAKE CITY, UTAH 84116
Shane Johanson P.L.S. 801-815-2541

SALT LAKE COUNTY RECORDED #
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF
DATE TIME BOOK PAGE
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NUMBER
ACCOUNT
SHEET 6
OF 6 SHEETS

KIRTON | McCONKIE

Ryan Wallace
50 E. South Temple, Suite 400
Salt Lake City, UT 84111
rtwallace@kmclaw.com
(801) 350-7633

June 6, 2023

Via Email

Murray City Planning Commission
Attn: Susan Nixon
Jared Hall
5025 S State Street
Murray, Utah 84107
Email: snixon@murray.utah.gov
jhall@murray.utah.gov

Planning Commission Members:

We represent Applegate LLC ("Applicant") who is the applicant on that certain Conditional Use Permit Application for the Fuji Townhomes (the "Application") that is to be addressed by the Planning Commission in its meeting on June 15, 2023. While Applicant is encouraged by the staff recommendation to approve the Application, the report included two conditions that we view as improper and illegal. Specifically, we are concerned about condition 1(h), which requires that Applicant "provide at least two full accesses to and from the development – City Code 16.16.170" (the "Access Condition"), and condition 7, which requires that "[t]he applicant shall install an eight foot (8') solid masonry wall as required adjacent to all single-family dwellings" (the "Wall Condition"). We discuss both of these requirements below.

I. Access Condition

Murray City Code 16.16.170(B)(1) provides that "Any residential subdivision development of more than thirty (30) single- or two-family dwellings shall have access to and from at least two (2) existing or proposed streets." The Application provides for access to and from at least two existing streets, specifically Spring Clover Drive on the west and 700 West on the east, thus complying with Murray City Code. However, Murray City staff have attempted to add language to Section 16.16.170 requiring "full" or "unrestricted" access to and from these roadways. Although those words are not found in Section 16.16.170, Murray City staff have added these extra-legislative "requirements" to attempt to prohibit Applicant from placing a two-way gate across Applegate Drive at the location depicted on Schedule A to this letter (the "Gate"). Without providing any legal justification the City Staff has argued that gated access does not satisfy the requirements of Section 16.16.170.

Gated access is not prohibited by Murray City Code as applicable to this development. The Applicant's development is located in the R-M-15 Zone and there are not any code sections applicable to the R-M-15 zone that prohibit gated access roads. The City Code does include prohibitions on gated access in some zones, such as the Murray City Center District (*see* Murray Code § 17.170.100(E) "All streets and sidewalks shall be available for general public use and access and not gated"), but Murray City has decided not to include similar restrictions in the R-M-15 Zone. Therefore, no such prohibition exists. Under Utah law, "because zoning ordinances are in derogation of a property owner's common-law right to unrestricted use of his or her property, provisions therein restricting property uses should be strictly construed in favor of the property owner." Hugoe v. Woods Cross City, 1999 UT App 281, ¶ 8, 988 P.2d at 458. Since the City has decided to impose restrictions on gated access in some zones but not in others, the City Code (as applicable to the R-M-15 Zone) must be interpreted to permit gated access roads.

Further, there are a number of gated communities located in Murray City where either one or all access roads are gated. Attached as Schedule B is a list of some of these gated communities located in the City. While the City staff has attempted to distinguish these gated access communities, claiming that a number of them were constructed when they were not part of Murray City but were part of Salt Lake County, they have not been able to explain why Murray Depot, Metro at Fireclay, Birkhill, Birkhill on Main, or Cottage Cove were provided gates but this development should not. For each of these developments, all vehicular access is gated, which presumes that access of that nature is permitted in the City of Murray, especially since it is not prohibited by City Code.

Finally, gated access roads are permitted by the International Fire Code (IFC). IFC (2021) Section D 103.5 specifically provides the criteria for fire apparatus access road gates and Murray City has not explained why these criteria would not be protective of health, safety, or welfare. While Section 16.16.170B4 of the City Code does provide that "access requirements should not be construed to limit the city's authority to impose greater access requirements for residential areas if, in the opinion of the city engineer or city fire marshal, the extent of existing and predicted residential development in a given area requires additional street access," neither the city engineer or city fire marshal have provided any reasons why "predicted residential development" would require additional street access. This is an infill project surrounded by developed properties so it is highly unlikely that future development would create a circumstance that would cause a standard fire access gate to be unsafe or unmanageable.

For all of these reasons, we think that Utah law supports the Applicant's placement of a two-way, restricted access gate in its development and do not think that Murray City is legally permitted to prohibit gated access in this instance.

II. Wall Condition

The staff report requires that "[t]he applicant shall install an eight foot (8') solid masonry wall as required adjacent to all single-family dwellings." However, we have been unable to find any provision in the City Code that requires a wall of this height or that requires masonry as

opposed to other materials. Some provisions of the City Code require a six foot (6') high solid masonry wall when a commercial zone abuts a residential zone (*see, e.g.,* § 17.144.140) (fencing regulations for the General Office District). Likewise, City Code Section 17.64.090(D) provides that "[t]he Planning Commission is authorized to grant additional fence height for buffer fencing between commercial and residential zoning districts to a maximum height of eight feet (8')." We are perplexed as to why the City staff is treating the R-M-15 Zone as a commercial zone and/or the development contemplated by the Application as a commercial development. Further, we think it unreasonable and illegal to impose the maximum height imposable on a commercial development on this residential development.

Likewise, we do not think that the City can legally require a specific material type (masonry) in this instance because neither the zone nor the development is commercial in nature. Section 17.64.010 provides that the "purpose for fence regulation provisions is to allow a wide variety of fence styles and construction to promote property security, privacy, and architectural compatibility." While pursuant to Section 17.56.060 of the City Code, the planning commission may impose conditions on the issuance of a conditional use permit including, but not limited to, . . . screening or landscaping to protect adjacent properties," such conditions must be designed to "reasonably mitigate anticipated detrimental effects created by the conditional use." (*see* Utah Code 10-9a-507). Here, the City has not identified any detrimental effects created by the development or specified how the requirement of an 8' masonry wall (typically reserved for commercial developments) mitigates any detrimental effects that a 6' vinyl fence (Applicant's preference) could not. As seen in Schedule C, due to the grade differential between the development and the surrounding neighborhood, a 6' fence would have virtually the same impact on site lines and screening as an 8' fence would. Further, masonry is much more expensive than vinyl and does not provide any increased screening benefits. Additionally, the surrounding R-1-8 Zone of the neighboring properties allows for 35' tall building heights and the current development is only 30'. Accordingly, there are not any detrimental impacts on the surrounding properties that would not be caused by permitted single family residences. Finally, a masonry wall would be out of place and not in harmony with the surrounding properties when all of the fencing currently surrounding the Applegate development is chain-link or wood. For all of these reasons, we ask that the planning commission permit the Application to be approved with the condition for a 6' vinyl fence along the property boundaries.

In short, we do not think that either the Access Condition or Wall Condition are legal requirements or conditions that can be imposed on this Application. We look forward to discussing these issues with at the planning commission meeting on June 15, 2023. Please do not hesitate to reach out to me if you have any questions or comments.

Sincerely,

Ryan Wallace

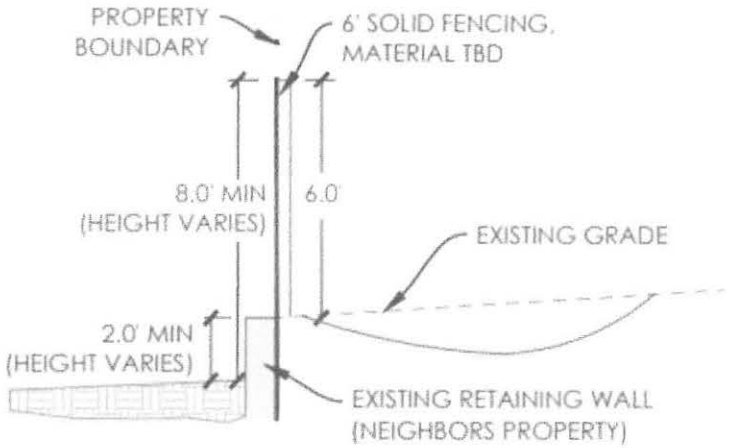
Schedule A

EX. CLUBHOUSE
RON
N00° 02' 00"E 61.39'
N48° 00' 00"W 67.34'
N59° 00' 00"W 44.70'
N90° 00' 00"W 71.53'
D=42.1305
L=96.162' R=130.776'
INSTALL "NO PARKING" SIGN
SECTION A-A
INSTALL STREET LIGHT (MURRAY CITY APPROVED)
INSTALL STOP SIGN
INSTALL MURRAY ADA RAMP
FIRE TURN AROUND AREA
N14° 27' 43"W 162.46'
SPEED LIMIT SIGN (25 MPH)
INSTALL "NO PARKING" SIGN
INSTALL STREET LIGHT (MURRAY CITY APPROVED)
D=28.4111
L=277.686' R=560.000'
N25° 17' 51"E 65.02'
CONTROLLED ACCESS GATE ACCESSIBLE FROM BOTH SIDES
S65° 02' 02"E 67.60'
S65° 17' 37"E 46.72'
TUS ACCESS ROAD GATE NOTES:
HICLE AND PEDESTRIAN ACCESS FOR FUJI AND APPLEGATE RESIDENTS
FIRE APPARATUS ACCESS GATE ACCORDING TO INTERNATIONAL FIRE
FC. (D103.5 FIRE APPARATUS ACCESS ROAD GATES.

Schedule B

Subdivision	Gate Location
Farm Hill Subdivision	
Primary Gated Access:	S Farm Hill Dr & 5600 S
Secondary Gated Access:	S Weathervane Dr & 5600 S
Cottage Cove Subdivision	
Primary Gated Access:	Cottage Wood Ln & Atwood Blvd
Monte Cristo Townhomes	
Primary Gated Access:	E Monte Cristo Dr & S Highland Dr
Tall Oaks Subdivision	
Secondary Gated Access:	S Tall Oaks Ln &. Vine St
Cobble Creek Subdivision	
Primary Gated Access:	Cobble Creek Rd & S 1300 E
Waterbury Subdivision	
Primary Gated Access:	S Waterbury Way & 5600 S
Secondary Gated Access:	Waterbury Dr & Deauville Ave
Murray Depot	
Primary Gated Access:	W Fireclay Ave
Secondary Gated Access:	W Gilbride Ave
Metro at Fireclay	
Primary Gated Access:	W Edison Ave
Secondary Gated Access:	W Edison Ave
Birkhill	
Primary Gated Access:	E Gilbride Ave
Birkhill on Main	
Primary Gated Access:	S Jummer Way

Schedule C



SECTION B-B - PERIMETER FENCING

DRAWING TITLE

OVERALL SITE PLAN

CLIENT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS
PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

DENSITY CALCULATIONS:

TOTAL PROJECT AREA = 222,621 SQFT.
5.11 ACRES

DENSITY UNITS/ACRE = 42 UNITS
5.11 ACRES

UNITS/ACRE = 8.2 OR 8 ACRES/UNIT

N

S

Scale (24" x 36") 1 in. = 40 FT.

REVISIONS

REV #	DESCRIPTION	DATE

WEBER ENGINEERING COLLECTIVE

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PHONE (385) 229-9667

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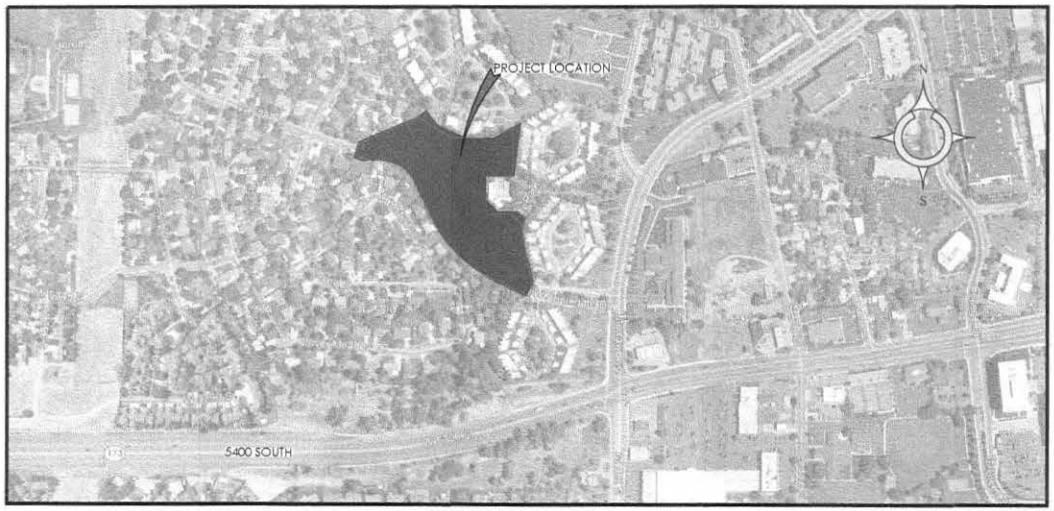
PROJECT NO. W-18-16
DATE 04/19/23
DRAWN BY
CHECKED BY
SHEET NUMBER C-04

FUJI Townhomes

MURRAY, UTAH



VICINITY MAP*

DETAIL CALLOUTS

- C-1 / D-01 — ADA ACCESS SIDEWALK RAMP
- C-2 / D-01 — SIDEWALK DRIVE APP. S.W. RAMP
- C-3 / D-01 — CATCH BASIN AND CLEANOUT
- C-5 / D-01 — ROADWAY DETAILS
- C-4 / D-02 — COMBINATION IN. CLEANOUT BOX
- C-6 / D-02 — MANHOLE AND VALVE COLLAR
- C-7 / D-02 — TRENCH BACKFILL
- C-5 / D-02 — POST AND SIGN MOUNTING DETAIL
- MCW-07 / D-03 — SANITARY SEWER MANHOLE
- MCW-09 / D-03 — DROP MANHOLE
- MCW-10 / D-03 — MANHOLE COLLAR
- MCW-12 / D-03 — SEWER LATERAL AND C.O.
- MCW-13 / D-03 — CLEANOUT DETAIL
- MCW-15 / D-03 — TRENCH DETAIL

*VICINITY MAP PROVIDED FROM GOOGLE MAPS.

INFORMATION

DEVELOPER

APPLEGATE LLC

CIVIL ENGINEER

WEBER ENGINEERING COLLECTIVE
SALT LAKE CITY, UTAH
PH. 385-229-9663

SURVEYOR

JOHANSON SURVEYING
SALT LAKE CITY, UTAH 84118
PH. 385-229-9663

CONTRACTOR

TBD

Sheet List Table	
Sheet Number	Sheet Title
C-01	COVER SHEET
C-02	OVERALL DEMO PLAN
C-03	PARKING EXHIBIT
C-04	OVERALL SITE PLAN
C-05	SITE PLAN
C-06	MURRAY CITY SAFETY PLAN
C-07	DRAINAGE PLAN
C-08	GRADING PLAN
C-09	GRADING PLAN-FUJI AVENUE
C-10	GRADING PLAN-FUJI AVENUE
C-11	UTILITY PLAN
C-12	FUJI AVE PP STA 10+00 - 15+00
C-13	FUJI AVE PP STA 15+00-20+00
C-14	FUJI AVE PP STA 20+00-22+80
C-15	FUJI ACCESS DRIVE PP
EC-02	PH2 EC PLAN
EC-01	PH1 EC PLAN
EC-03	EC DETAILS
D-01	DETAILS
D-02	DETAILS
D-03	SEWER DETAILS
D-04	WATER DETAILS

NOTICE TO CONTRACTOR

CAUTION TO THE CONTRACTOR NOTE THAT THE ELEVATION AND OR LOCATION OF EXISTING UTILITIES SHOWN ON THESE PLANS IS BASED ON RECORDS FROM PUBLIC UTILITIES AND PRIVATE UTILITY COMPANY MARKINGS AND WHERE POSSIBLE MEASUREMENTS TAKEN IN THE FIELD. THIS INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR IS RESPONSIBLE TO CONTACT THE UTILITY LOCATION COMPANY AT LEAST .. HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATIONS OF THE UTILITIES. THE CONTRACTOR SHALL ALSO NOTE THAT ANY UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHALL BE RELOCATED.

DRAWING TITLE

COVER SHEET

CLIENT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS
PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

1. INSTALL WATER AND SANITARY SEWER IMPROVEMENTS ACCORDING TO MURRAY CITY AND/OR APWA 2017 STANDARDS.
2. MAINTAIN A MINIMUM 10' DISTANCE BETWEEN WATER AND SANIEARY SEWER LINES.
3. MINIMUM 18" OF CLEARANCE IS REQUIRED WHERE SEWER AND WATER CROSS.
4. MINIMUM 12" OF CLEARANCE IS REQUIRED WHERE CROSSING EXISTING GAS LINE.
5. CONTRACTOR SHALL FIELD VERIFY LOCATIONS AND INVERT ELEVATIONS OF EXISTING MANHOLES AND OTHER UTILITIES BEFORE STAKING OR CONSTRUCTING ANY NEW UTILITY LINES.
6. FOUR FEET OF COVER REQUIRED OVER ALL WATER LINES.
7. CONTRACTOR RESPONSIBLE FOR OBTAINING MURRAY CITY STANDARDS AND/OR APWA 2017 SPECIFICATIONS AND CONSTRUCTION STANDARDS.
8. CONTRACTOR IS RESPONSIBLE TO OBTAIN AND FOLLOW THE SOILS REPORT AND ITS RECOMMENDATIONS (GEOTECHNICAL ENGINEERING STUDY, PROVIDED BY CMT ENGINEERING, DATED MAY 29, 2019).
9. CONTRACTOR RESPONSIBILITY TO VERIFY CIVIL SITE PLAN AND BUILDING DIMENSIONS MATCH BUILDING PLANS BEFORE STARTING CONSTRUCTION.
10. ALL UTILITY LINES SHALL BE BACKFILLED AS PER MURRAY CITY STANDARDS.
11. ALL STORM DRAIN PIPING TO BE CUT FLUSH WITH INSIDE WALL OF DRAINAGE INSIDE WALL TO BE GROUTED SMOOTH WITH A NON-SHRINK GROUT.
12. CONTRACTOR TO REPLACE ANY AREAS AROUND CONSTRUCTION SITE THAT IS DAMAGED DURING CONSTRUCTION.
13. THERE SHALL BE NO CHANGES TO THESE PLANS WITHOUT THE WRITTEN APPROVAL OF THE ENGINEER OF RECORD AND RE-SUBMITTAL OF THE PROPOSED CHANGES TO MURRAY CITY FOR REVIEW AND APPROVAL.
14. LOCATION (HORIZONTAL AND VERTICAL) OF UNDERGROUND UTILITIES SHALL BE UNCOVERED BY THE CONTRACTOR AT THE BEGINNING OF THE PROJECT TO SEE IF THEY IMPACT THE DESIGN.
15. THE CONTRACTOR IS RESPONSIBLE FOR SAFETY ON THE SITE AT ALL TIMES AND SHALL OBTAIN THE NECESSARY PERMITS TO ACCOMPLISH THE JOB.
16. CALL BLUE STAKES BEFORE YOU DIG

REVISIONS:

REV #	DESCRIPTION	DATE

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STAMP

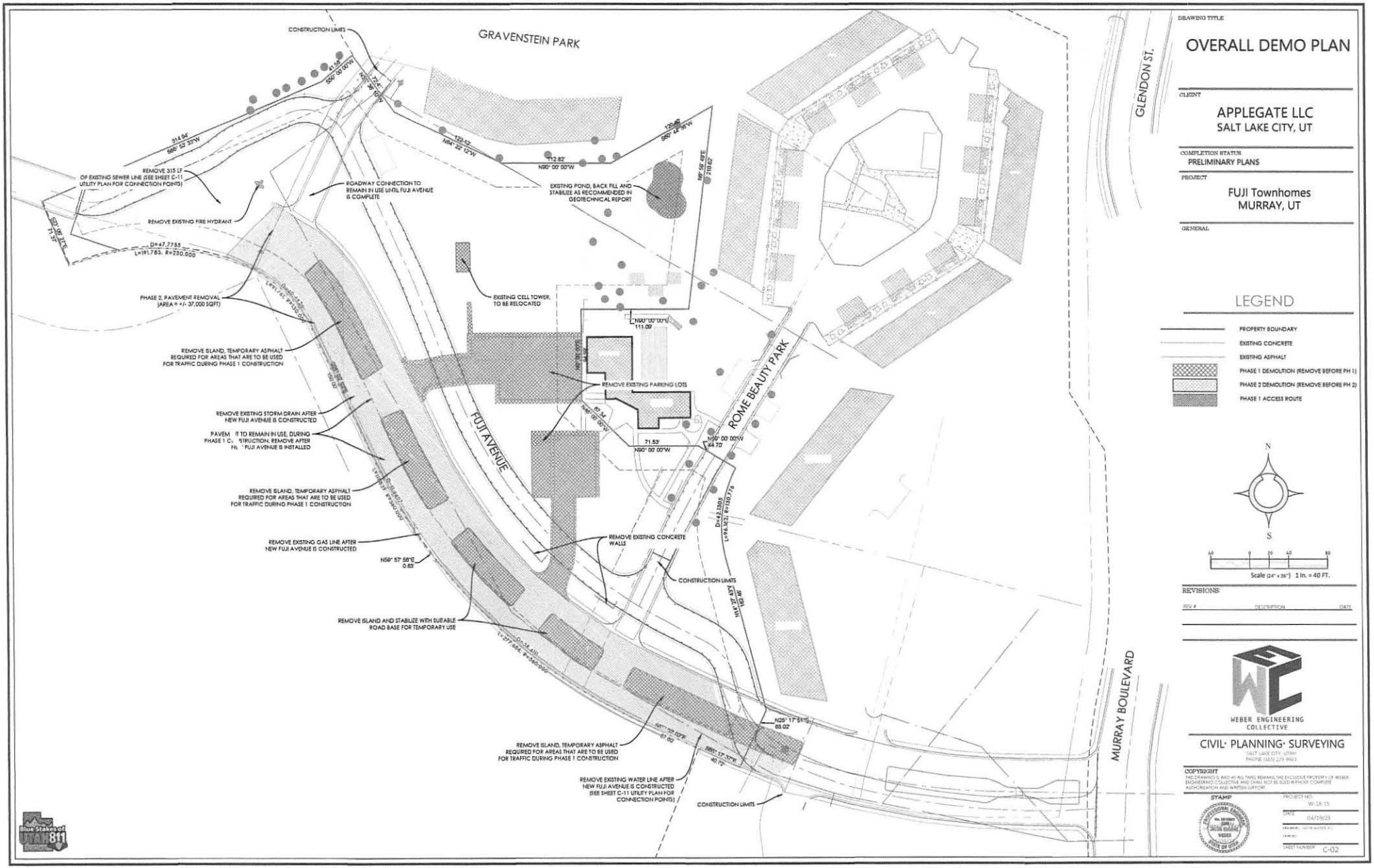
PROJECT NO. W-19-25

DATE 04/19/23

DRAWING SCALE AS NOTED (11"x17")

CHECKED

SHEET NUMBER C-01



DRAWING TITLE

OVERALL DEMO PLAN

CLIENT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS
PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

LEGEND

- PROPERTY BOUNDARY
- EXISTING CONCRETE
- EXISTING ASPHALT
- PHASE 1 DEMOLITION (REMOVE BEFORE PH 1)
- PHASE 2 DEMOLITION (REMOVE BEFORE PH 2)
- PHASE 1 ACCESS ROUTE

N

S

Scale (24" x 36") 1 In. = 40 FT.

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PROJECT NO. W-18-15

DATE 04/19/23

SHEET NUMBER C-02

DRAWING TITLE:

PARKING EXHIBIT

CLIENT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS:
PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

ADDITIONAL PARKING STALLS:

-BALDWIN PARK
4 PARKING STALLS

-BEN DAVIS PARK
4 PARKING STALLS

-ROME BEAUTY PARK (CLUB HOUSE)
12 PARKING STALLS

-GRAVENSTEIN PARK
15 PARKING STALLS

TOTAL NEW PARKING STALLS = 35

N

S

60 0 30 60 120

Scale (24"x 36") 1 in. = 60 FT.

REVISIONS:

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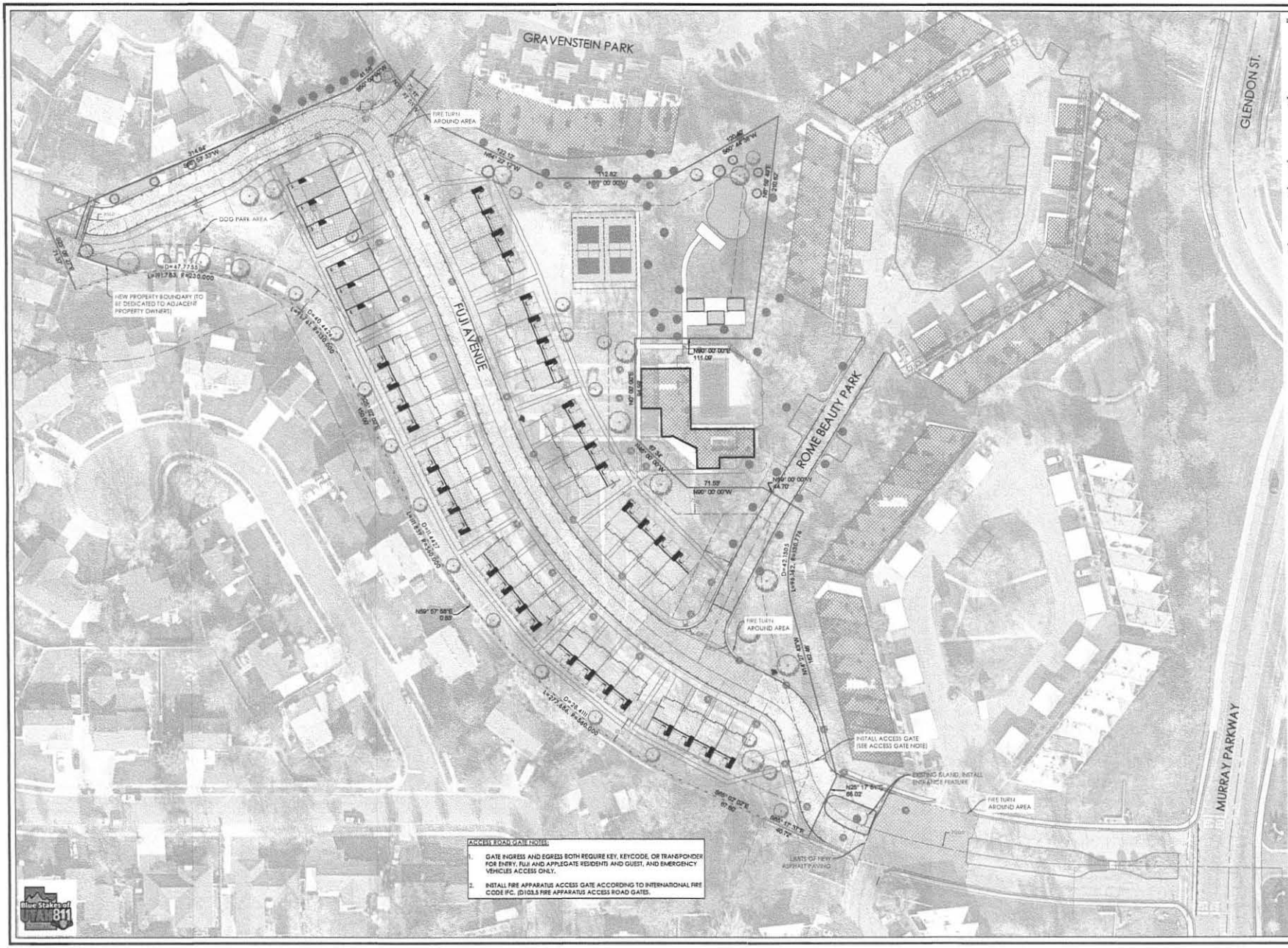
PROJECT NO. W-18-15

DATE 04/19/23

SHEET NUMBER C-03

Blue Stakes of Utah 811



DRAWING TITLE

OVERALL SITE PLAN

CLIENT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS
PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

DENSITY CALCULATIONS:

TOTAL PROJECT AREA = 222,621 SQFT.
5.11 ACRES

DENSITY UNITS/ACRE = 42 UNITS
5.11 ACRES

UNITS/ACRE = 8.2 OR 8 ACRES/UNIT

N

S

Scale (24" x 36") 1 in. = 40 FT.

REVISIONS:

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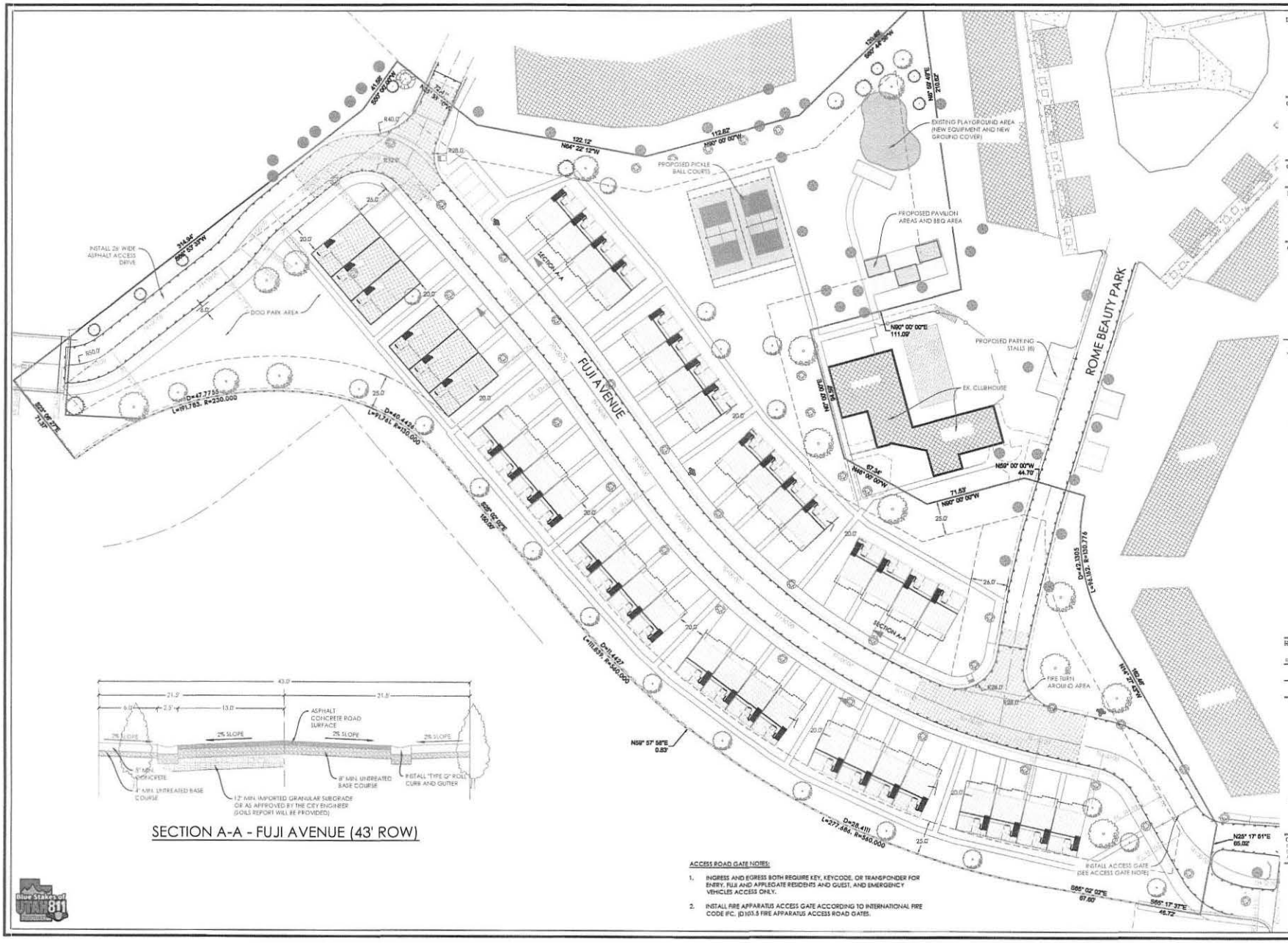
PROJECT NO. W-18-15

DATE 04/19/23

DRAWING SHEET NUMBER C-04



ACCESS ROAD GATE NOTES:

1. INGRESS AND EGRESS BOTH REQUIRE KEY, KEYCODE, OR TRANSPONDER FOR ENTRY. FUJI AND APPLEGATE RESIDENTS AND GUEST, AND EMERGENCY VEHICLES ACCESS ONLY.
2. INSTALL FIRE APPARATUS ACCESS GATE ACCORDING TO INTERNATIONAL FIRE CODE IFC, (D)103.5 FIRE APPARATUS ACCESS ROAD GATES.

DRAWING TITLE

SITE PLAN

CLIENT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS
PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

LEGEND

- PROPERTY BOUNDARY
- PROPOSED TOWNHOMES (22'X 44') 9 UNITS
- PROPOSED TOWNHOMES (22'X 33.5') 33 UNITS
- PROPOSED ASPHALT ROADWAY
- PROPOSED CONCRETE
- PROPOSED GRASS
- PROPOSED STREET LIGHT
- EXISTING BUILDINGS

* TOTAL TOWNHOME UNITS = 42

N

S

Scale (24" x 36") 1 in. = 30 FT.

REVISIONS:

REV #	DESCRIPTION	DATE

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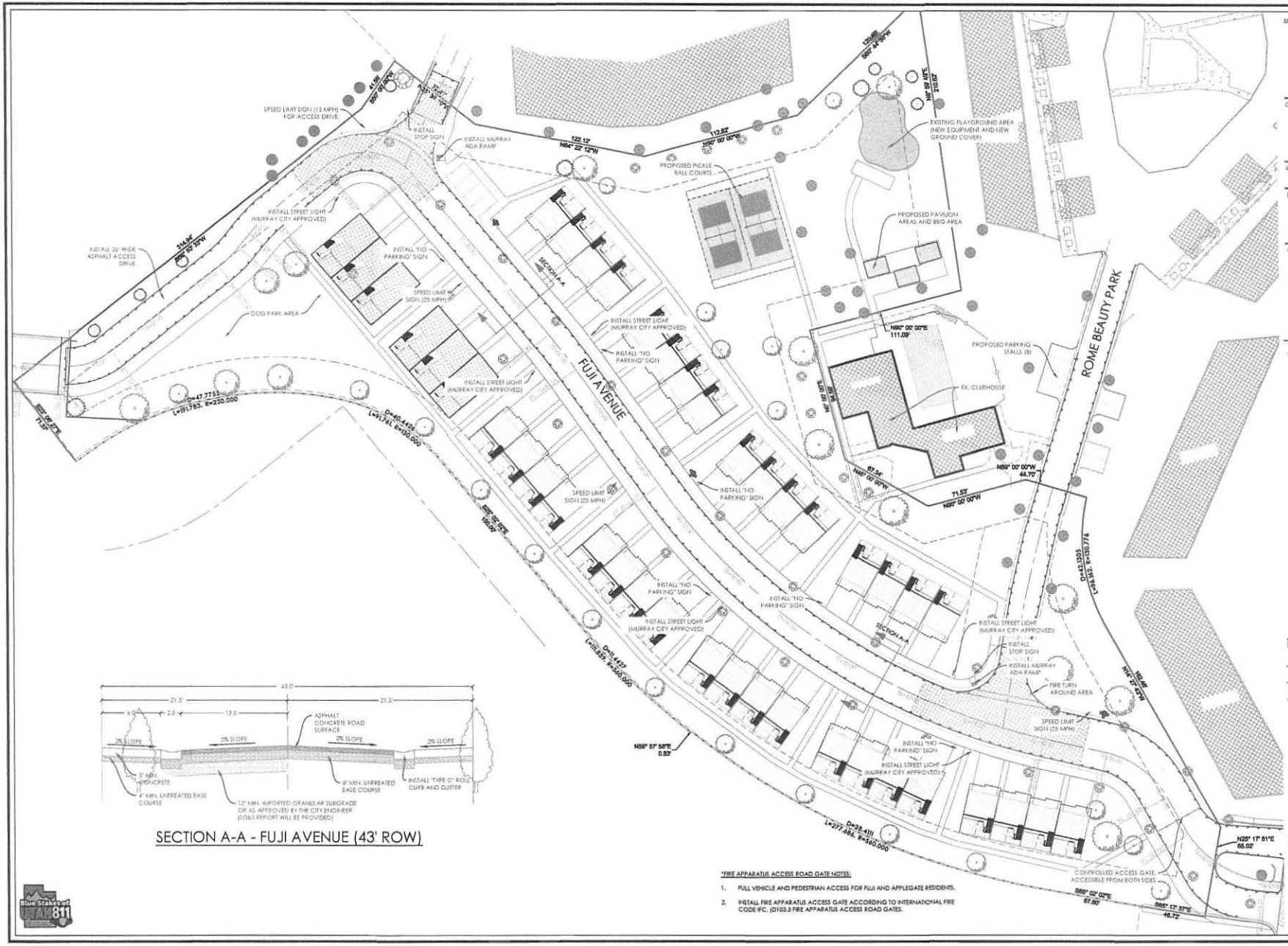
PROJECT NO: W 18-15
DATE: 04/19/23
DRAWING SCALE: AS SHOWN
DRAWN BY:
SHEET NUMBER: C-05

Blue Stakes of UTAH 811



SECTION A-A - FUJI AVENUE (43' ROW)

*FIRE APPARATUS ACCESS ROAD GATE NOTES:

1. FULL VEHICLE AND PEDESTRIAN ACCESS FOR FUJI AND APPLEGATE RESIDENTS.
2. INSTALL FIRE APPARATUS ACCESS GATE ACCORDING TO INTERNATIONAL FIRE CODE IFC. [D103.5 FIRE APPARATUS ACCESS ROAD GATES.

DRAWING TITLE

MURRAY CITY SAFETY PLAN

CLIENT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS
PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

LEGEND

- PROPERTY BOUNDARY
- PROPOSED TOWNHOMES (22' X 46') 9 UNITS
- PROPOSED TOWNHOMES (22' X 32.5') 33 UNITS
- PROPOSED ASPHALT ROADWAY
- PROPOSED CONCRETE
- PROPOSED GRASS
- PROPOSED STREET LIGHTS
- EXISTING BUILDINGS

* TOTAL TOWNHOME UNITS = 42

N
S

30 0 15 30 60

Scale (24"x 36") 1 in. = 30 FT.

REVISIONS

REV #	DESCRIPTION	DATE

WEBER ENGINEERING COLLECTIVE

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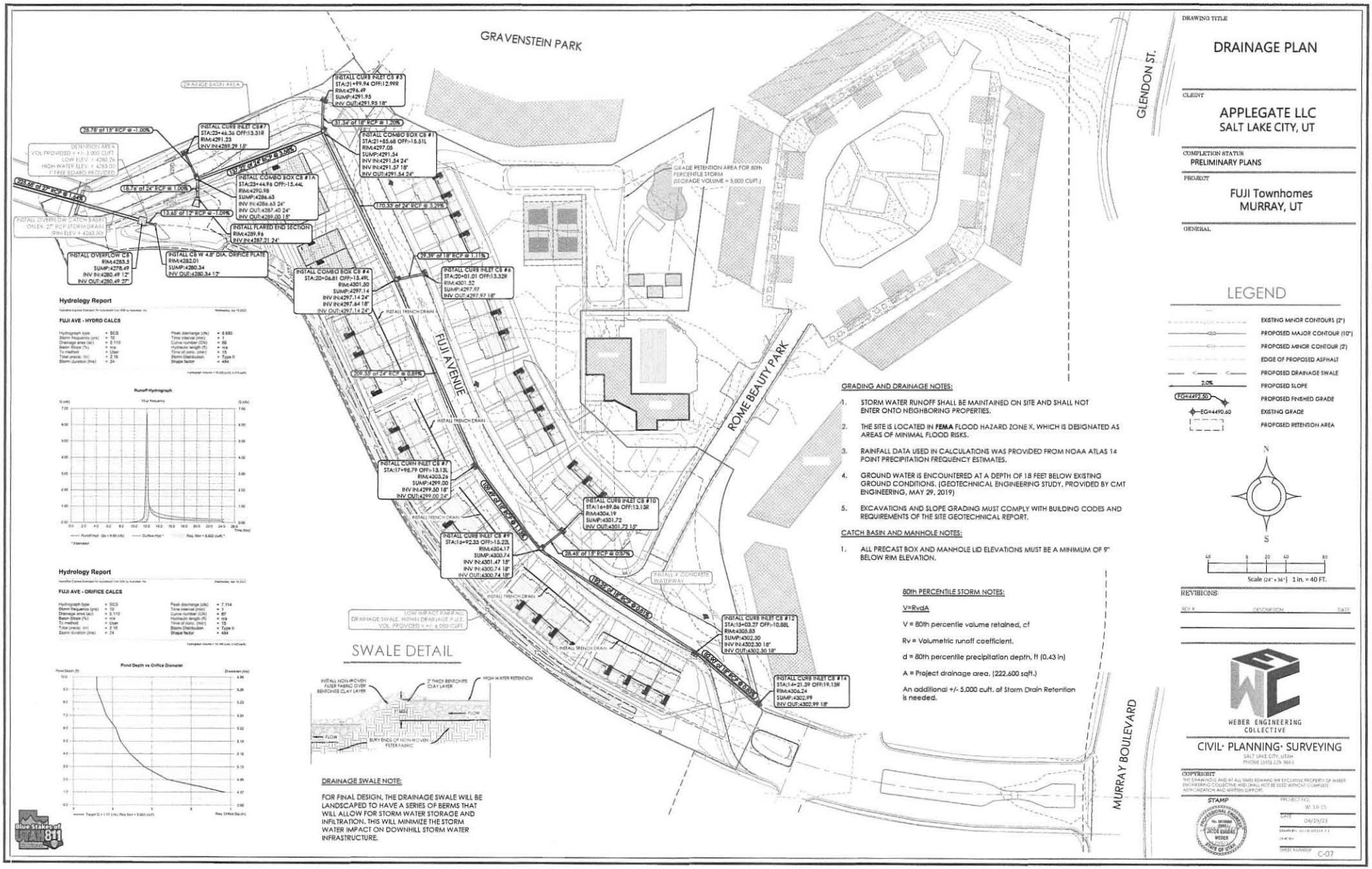
PROJECT NO. W-16-19
DATE 04/19/23

SHEET NUMBER C-06

Blue Stakes of Utah 811



SWALE DETAIL

DRAINAGE SWALE NOTE:

FOR FINAL DESIGN, THE DRAINAGE SWALE WILL BE LANDSCAPED TO HAVE A SERIES OF BERMS THAT WILL ALLOW FOR STORM WATER STORAGE AND INFILTRATION. THIS WILL MINIMIZE THE STORM WATER IMPACT ON DOWNHILL STORM WATER INFRASTRUCTURE.

GRADING AND DRAINAGE NOTES:

1. STORM WATER RUNOFF SHALL BE MAINTAINED ON SITE AND SHALL NOT ENTER ONTO NEIGHBORING PROPERTIES.
2. THE SITE IS LOCATED IN **FEMA** FLOOD HAZARD ZONE X, WHICH IS DESIGNATED AS AREAS OF MINIMAL FLOOD RISKS.
3. RAINFALL DATA USED IN CALCULATIONS WAS PROVIDED FROM NOAA ATLAS 14 POINT PRECIPITATION FREQUENCY ESTIMATES.
4. GROUND WATER IS ENCOUNTERED AT A DEPTH OF 18 FEET BELOW EXISTING GROUND CONDITIONS, (GEOTECHNICAL ENGINEERING STUDY, PROVIDED BY CMT ENGINEERING, MAY 29, 2019)
5. EXCAVATIONS AND SLOPE GRADING MUST COMPLY WITH BUILDING CODES AND REQUIREMENTS OF THE SITE GEOTECHNICAL REPORT.

CATCH BASIN AND MANHOLE NOTES:

1. ALL PRECAST BOX AND MANHOLE LID ELEVATIONS MUST BE A MINIMUM OF 9" BELOW RIM ELEVATION.

80th PERCENTILE STORM NOTES:

V=RvdA

V = 80th percentile volume retained, cf

Rv = Volumetric runoff coefficient.

d = 80th percentile precipitation depth, ft (0.43 in)

A = Project drainage area. (222,600 sqft.)

An additional +/- 5,000 cuft. of Storm Drain Retention is needed.

Hydrology Report

FUJI AVE - HYDRO CALCS

Hydrograph type	= SCS	Peak discharge (cfs)	= 0.680
Storm frequency (yrs)	= 10	Time interval (min)	= 1
Drainage area (ac)	= 0.110	Curve number (CN)	= 66
Basin Slope (%)	= n/a	Hydraulic length (ft)	= n/a
Tc method	= User	Time of conc. (min)	= 15
Total precip. (in)	= 2.16	Storm Distribution	= Type II
Storm Duration (hrs)	= 24	Shape factor	= 484

Runoff Hydrograph

Hydrology Report

FUJI AVE - ORIFICE CALCS

Hydrograph type	= SCS	Peak discharge (cfs)	= 7.154
Storm frequency (yrs)	= 10	Time interval (min)	= 1
Drainage area (ac)	= 0.110	Curve number (CN)	= 87
Basin Slope (%)	= n/a	Hydraulic length (ft)	= n/a
Tc method	= User	Time of conc. (min)	= 15
Total precip. (in)	= 2.16	Storm Distribution	= Type II
Storm Duration (hrs)	= 24	Shape factor	= 484

Pond Depth vs Orifice Diameter

LEGEND

- EXISTING MINOR CONTOURS (2')
- PROPOSED MAJOR CONTOUR (10')
- PROPOSED MINOR CONTOUR (2')
- EDGE OF PROPOSED ASPHALT
- PROPOSED DRAINAGE SWALE
- 2.0% PROPOSED SLOPE
- FG=4492.50 PROPOSED FINISHED GRADE
- EG=4490.60 EXISTING GRADE
- PROPOSED RETENTION AREA

N

S

Scale (24"x 36") 1 in. = 40 FT.

REVISIONS:

REV #	DESCRIPTION	DATE

DRAWING TITLE

DRAINAGE PLAN

CLIENT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS
PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

WEBER ENGINEERING COLLECTIVE
CIVIL· PLANNING· SURVEYING
SALT LAKE CITY, UTAH
PHONE (385) 229-9661

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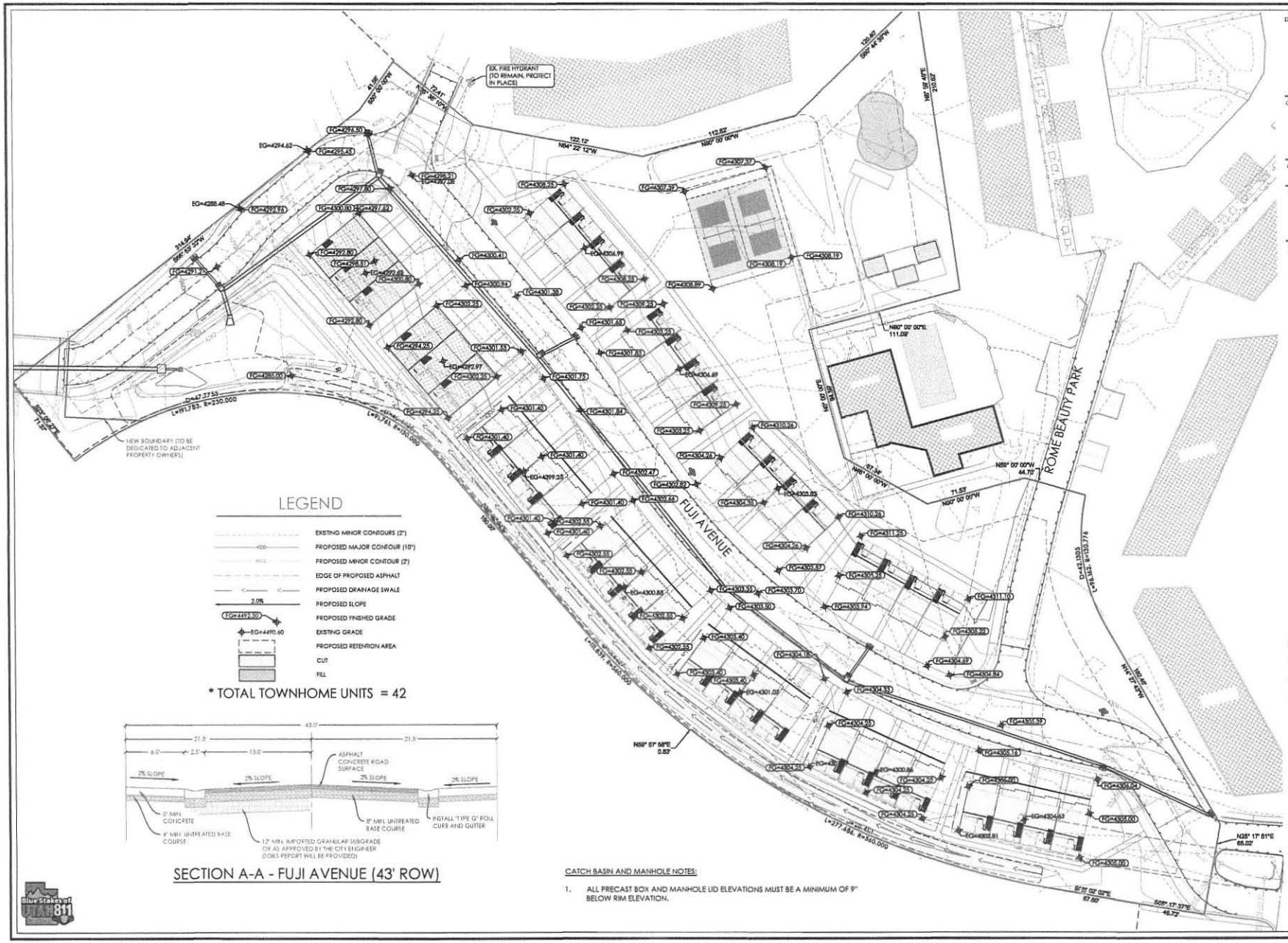
PROJECT NO.
W 18-15

DATE
04/19/21

SHEET NUMBER
C-07

Blue Stakes of Utah 811



DRAWING TITLE

GRADING PLAN

CLIENT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS
PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

REVISIONS

REV #	DESCRIPTION	DATE

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CIVIL· PLANNING· SURVEYING
SALT LAKE CITY, UTAH
PHONE (385) 229-9661

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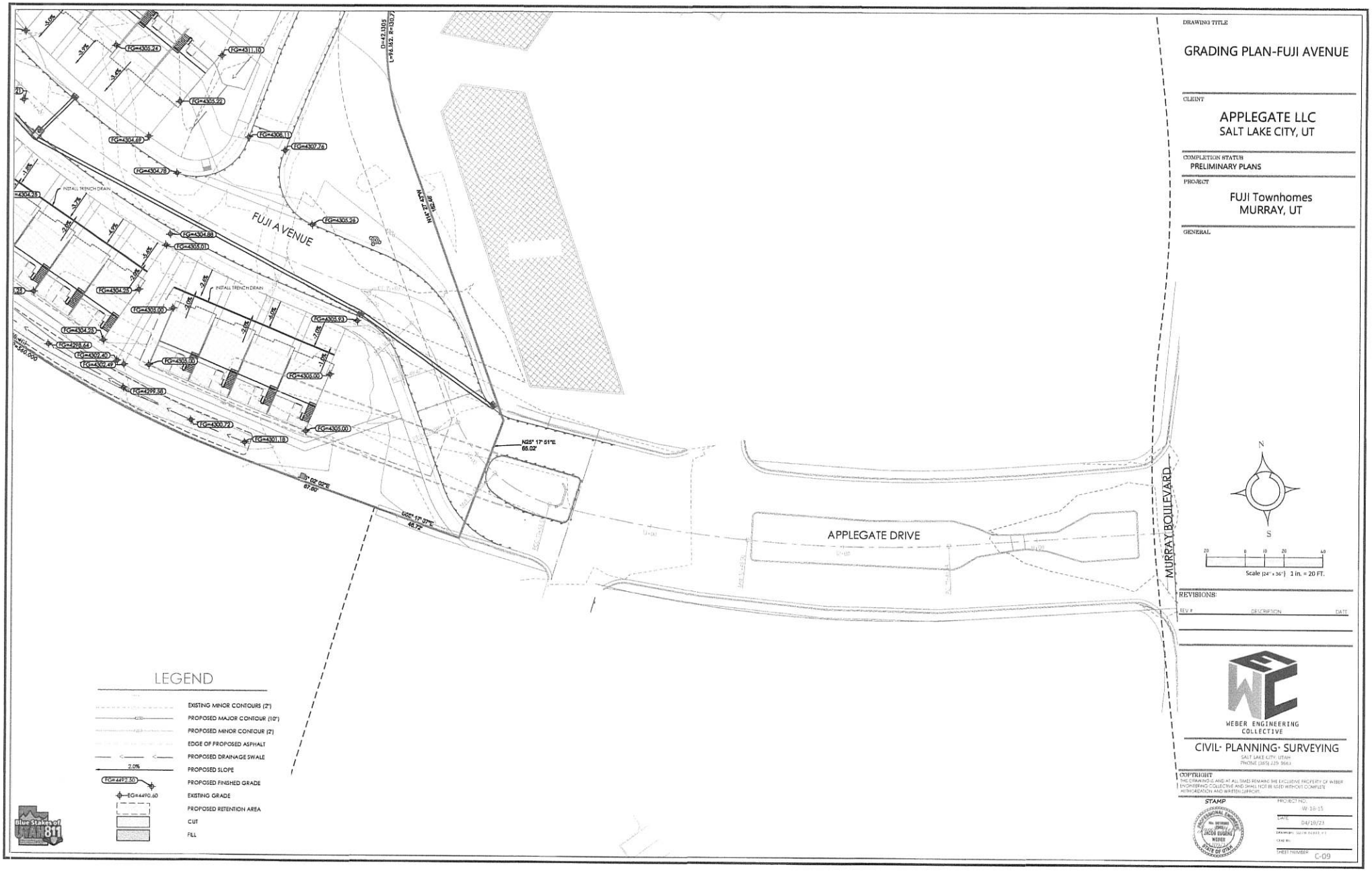
STAMP

PROJECT NO. W-19-15
DATE 04/19/23
DRAWN BY: JACOB WEBER, P.E.
CHECKED BY:
SHEET NUMBER C-08

Blue Stakes of UTAH 811



LEGEND

- EXISTING MINOR CONTOURS (2')
- PROPOSED MAJOR CONTOUR (10')
- PROPOSED MINOR CONTOUR (2')
- EDGE OF PROPOSED ASPHALT
- PROPOSED DRAINAGE SWALE
- 2.0% PROPOSED SLOPE
- FG=4492.50 PROPOSED FINISHED GRADE
- EG=4490.60 EXISTING GRADE
- PROPOSED RETENTION AREA
- CUT
- FILL

Blue Stakes of Utah 811

DRAWING TITLE

GRADING PLAN-FUJI AVENUE

CLIENT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS
PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

N

S

20 0 10 20 40

Scale (24" x 36") 1 in. = 20 FT.

REVISIONS:

REV #	DESCRIPTION	DATE

WEBER ENGINEERING COLLECTIVE

CIVIL· PLANNING· SURVEYING

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STAMP

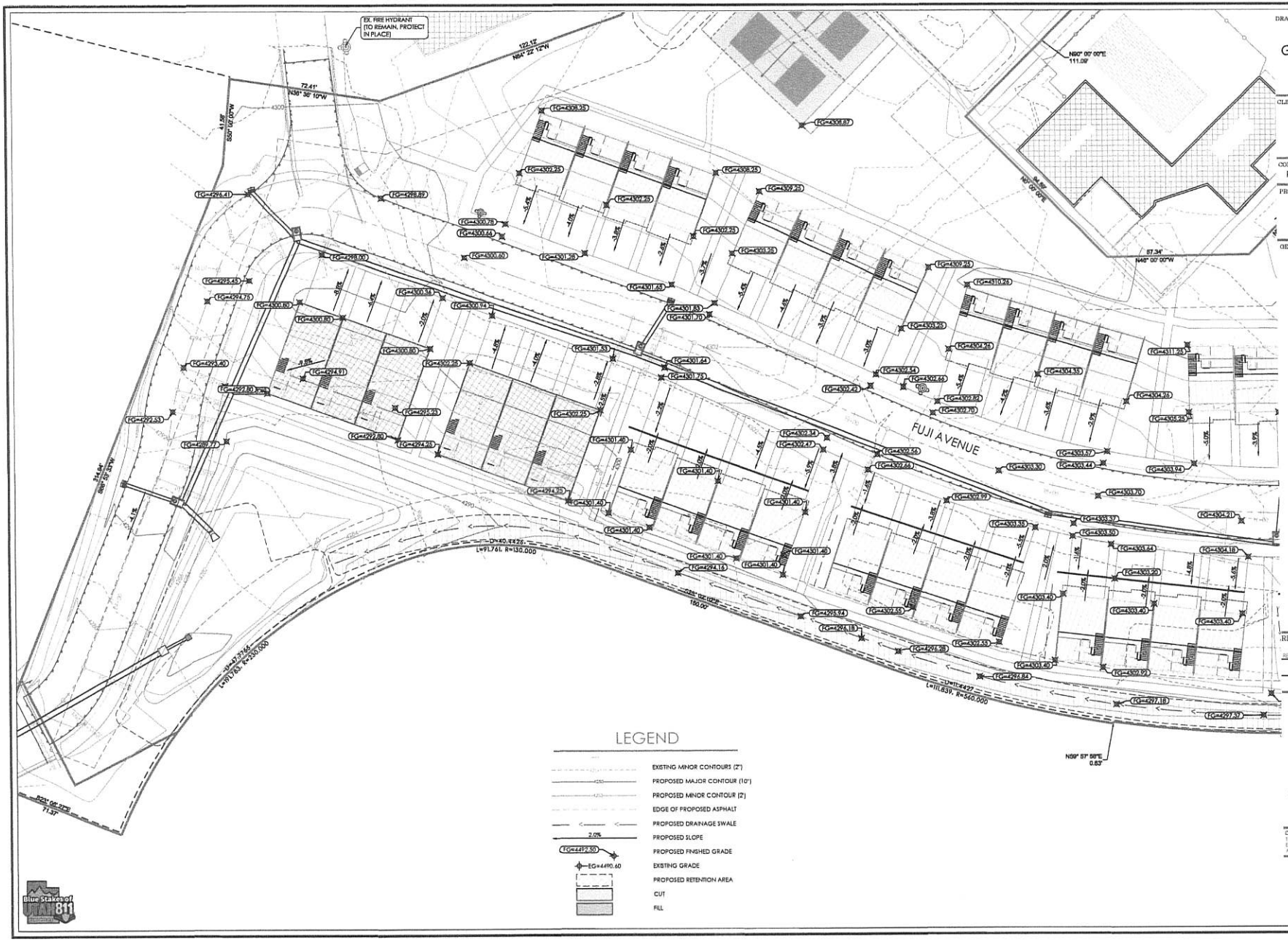
JACOB EUGENE WEBER — STATE OF UTAH

PROJECT NO. W-18-15

DATE 04/18/23

DRAWING SIZE ANSI D

SHEET NUMBER C-09



DRAWING TITLE

GRADING PLAN-FUJI AVENUE

CLIENT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS
PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

Scale (24" x 36") 1 in. = 20 FT.

REVISIONS:

REV #	DESCRIPTION	DATE

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PHONE (385) 229-9651

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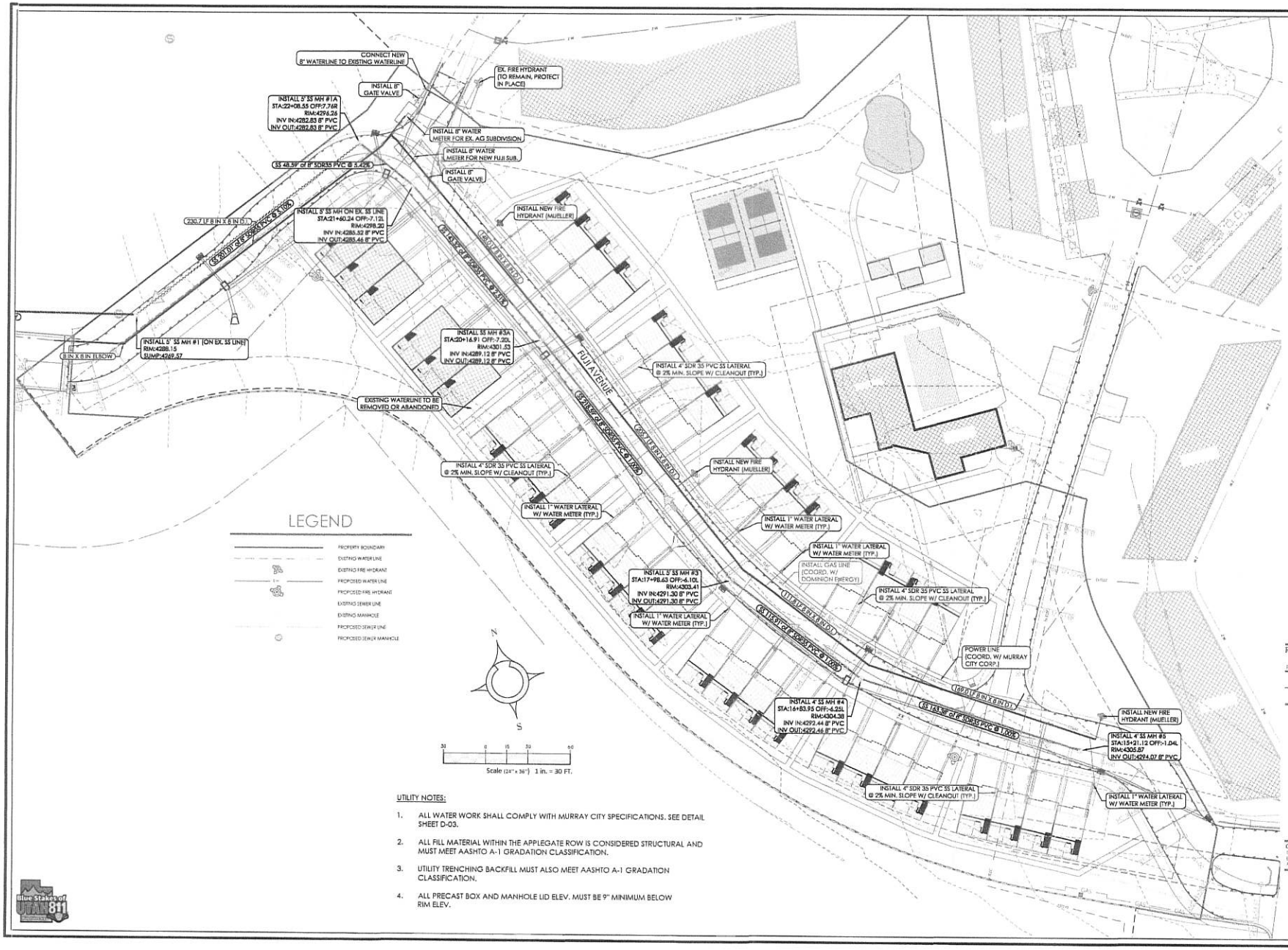
STAMP

PROFESSIONAL ENGINEER — No. 9010996 — JACOB GORDON WEBER — STATE OF UTAH

PROJECT NO. W-18-15
DATE 04/19/23
DRAWN BY: JACOB WEBER, P.E.
CHK'D BY:
SHEET NUMBER C-10



UTILITY NOTES:

1. ALL WATER WORK SHALL COMPLY WITH MURRAY CITY SPECIFICATIONS. SEE DETAIL SHEET D-03.
2. ALL FILL MATERIAL WITHIN THE APPLEGATE ROW IS CONSIDERED STRUCTURAL AND MUST MEET AASHTO A-1 GRADATION CLASSIFICATION.
3. UTILITY TRENCHING BACKFILL MUST ALSO MEET AASHTO A-1 GRADATION CLASSIFICATION.
4. ALL PRECAST BOX AND MANHOLE LID ELEV. MUST BE 9" MINIMUM BELOW RIM ELEV.

Blue Stakes of Utah 811

DRAWING TITLE

UTILITY PLAN

CLIENT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS
PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

1. INSTALL WATER AND SANITARY SEWER IMPROVEMENTS ACCORDING TO MURRAY CITY AND/OR APWA 2017 STANDARDS.
2. MAINTAIN A MINIMUM 10' DISTANCE BETWEEN WATER AND SANITARY SEWER LINES.
3. MINIMUM 18" OF CLEARANCE IS REQUIRED WHERE SEWER AND WATER CROSS.
4. MINIMUM 12" OF CLEARANCE IS REQUIRED WHERE CROSSING EXISTING GAS LINE.
5. CONTRACTOR SHALL FIELD VERIFY LOCATIONS AND INVERT ELEVATIONS OF EXISTING MANHOLES AND OTHER UTILITIES BEFORE STAKING OR CONSTRUCTING ANY NEW UTILITY LINES.
6. FOUR FEET OF COVER REQUIRED OVER ALL WATER LINES.
7. CONTRACTOR RESPONSIBLE FOR OBTAINING MURRAY CITY STANDARDS AND/OR APWA 2017 SPECIFICATIONS AND CONSTRUCTION STANDARDS.
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15. THE CONTRACTOR IS RESPONSIBLE FOR SAFETY ON THE SITE AT ALL TIMES AND SHALL OBTAIN THE NECESSARY PERMITS TO ACCOMPLISH THE JOB.
16. CALL BLUE STAKES BEFORE YOU DIG

REVISIONS:

REV #	DESCRIPTION	DATE

WEBER ENGINEERING COLLECTIVE
CIVIL· PLANNING· SURVEYING
SALT LAKE CITY, UTAH
PHONE (385) 229-3662

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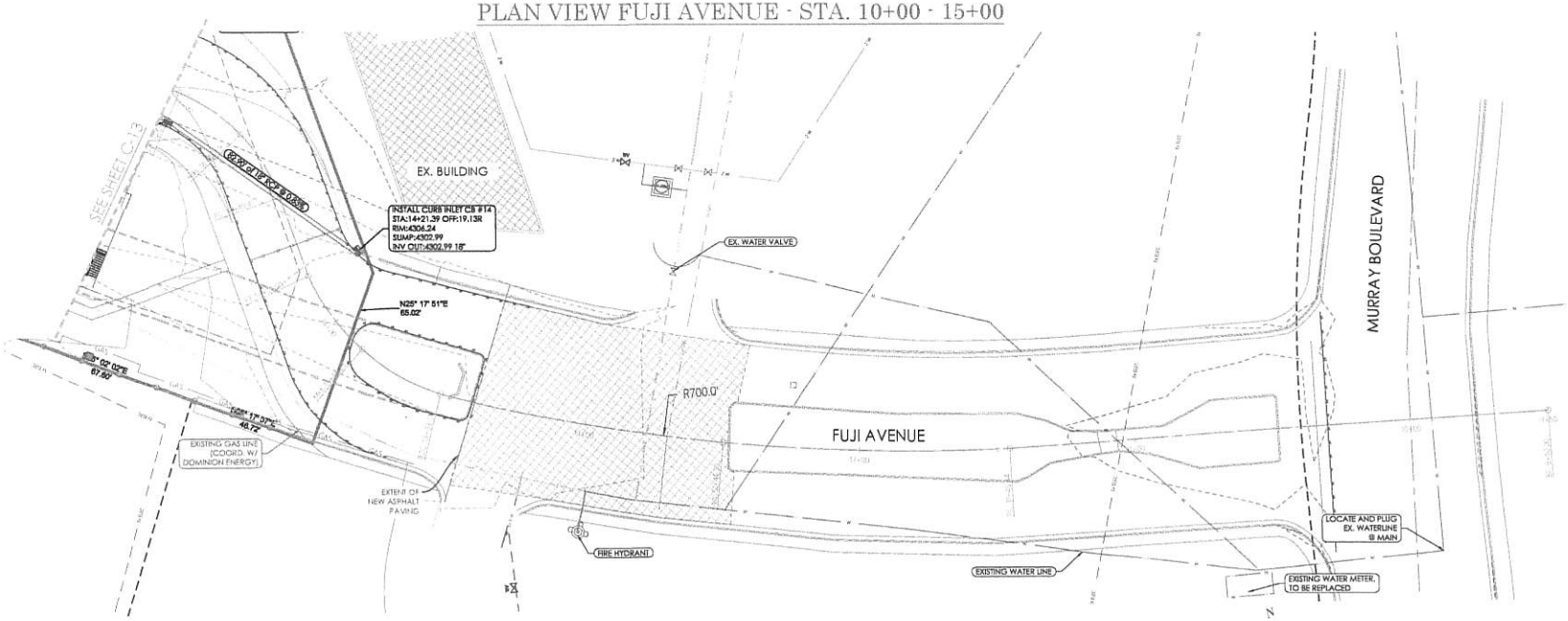
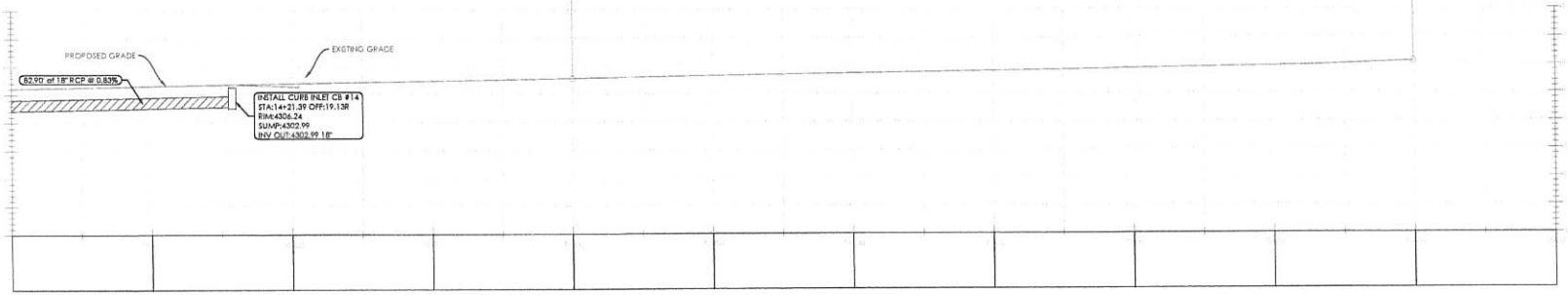
JACOB EUGENE WEBER — No. 9010660 — PROFESSIONAL ENGINEER — STATE OF UTAH

PROJECT NO. W-18-15
DATE 04/19/21
DRAWN BY JEW
CHECKED BY
SHEET NUMBER C-11

PLAN VIEW FUJI AVENUE - STA. 10+00 - 15+00



PROFILE VIEW FUJI AVENUE - STA. 10+00 - 15+00



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Scale (24" x 36") 1 in. = 20 FT.

DRAWING TITLE

FUJI AVE PP STA 10+00 - 15+00

CLIENT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS

PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

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PROFESSIONAL ENGINEER No. 8010002 JACOB BUTLER WEBER STATE OF UTAH

PROJECT NO: W-18-15

DATE: 04/19/21

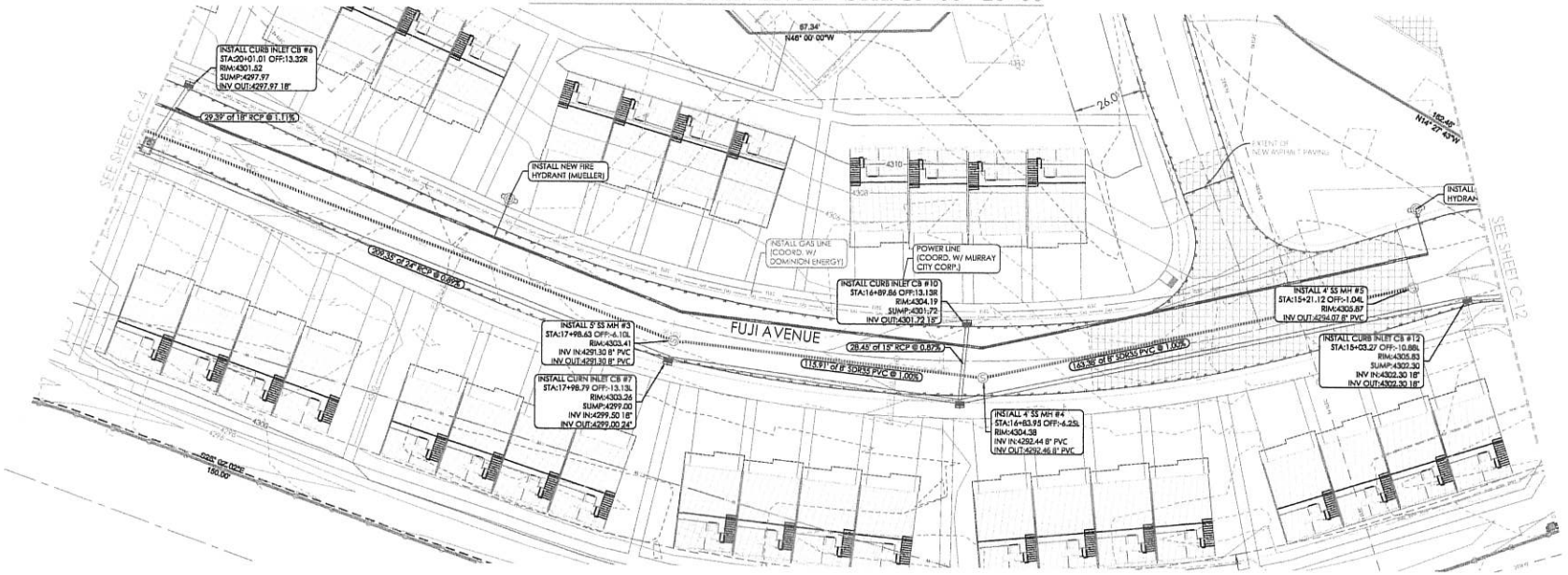
DRAWN BY: JACOB WEBER, P.E.

CHKD BY:

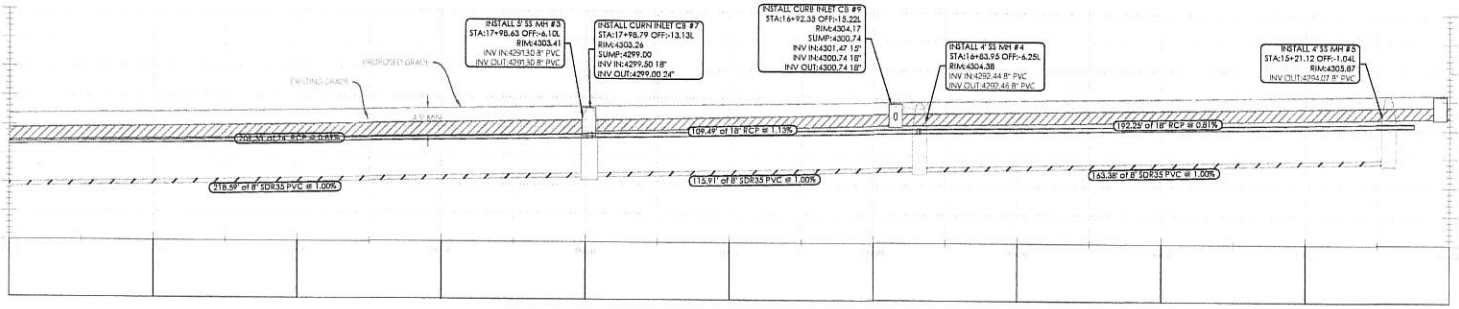
SHEET NUMBER C-12

Blue Stakes of UTAH 811

PLAN VIEW FUJI AVENUE - STA. 15+00 - 20+00



PROFILE VIEW FUJI AVENUE - STA. 15+00 - 20+00



Scale (24" x 36") 1 in. = 20 FT.

DRAWING TITLE

FUJI AVE PP STA 15+00-20+00

CLIENT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS

PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

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PROJECT NO. W-19-19

DATE 04/19/23

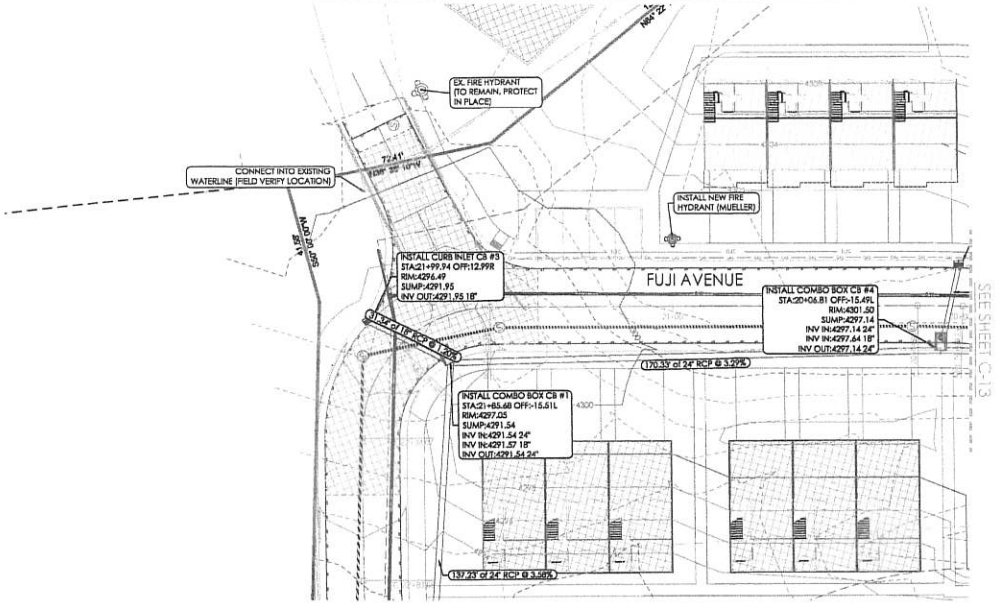
DRAWN BY

CHK BY

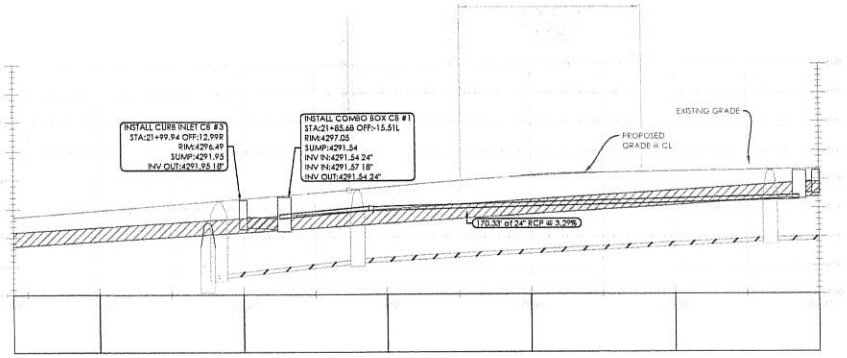
SHEET NUMBER C-13

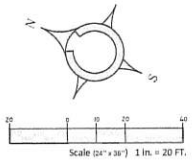
Blue Stakes of UTAH 811

PLAN VIEW FUJI AVENUE - STA. 20+00 - END



PROFILE VIEW FUJI AVENUE - STA. 20+00 - 22+80





DRAWING TITLE

FUJI AVE PP STA 20+00-22+80

CLIENT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS

PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

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REVISIONS:

REV #	DESCRIPTION	DATE

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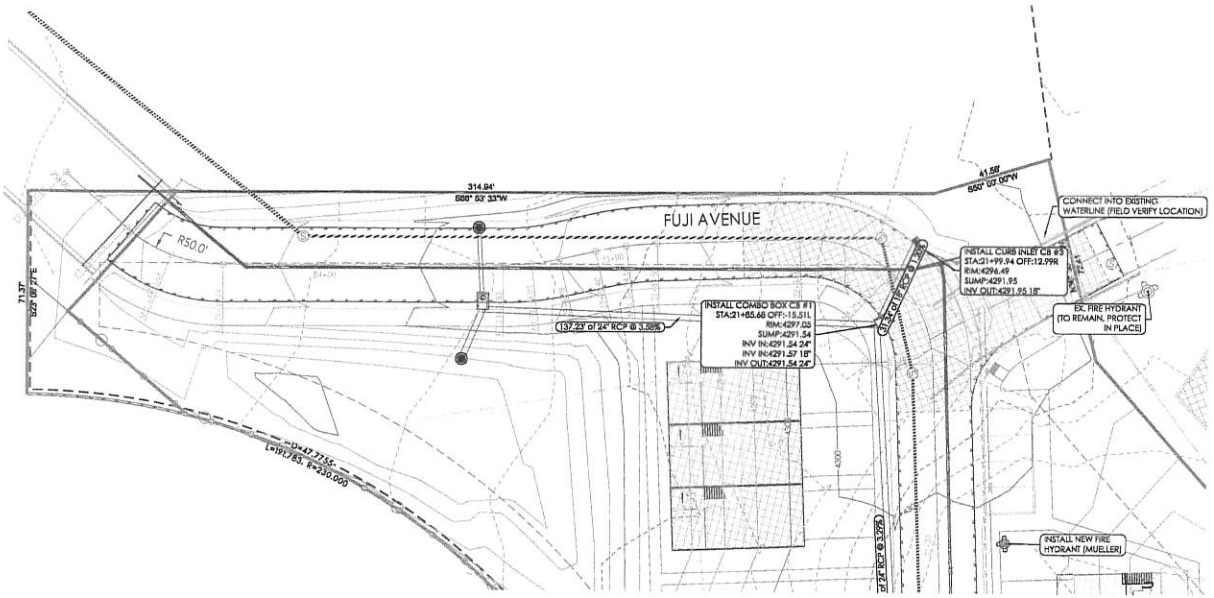
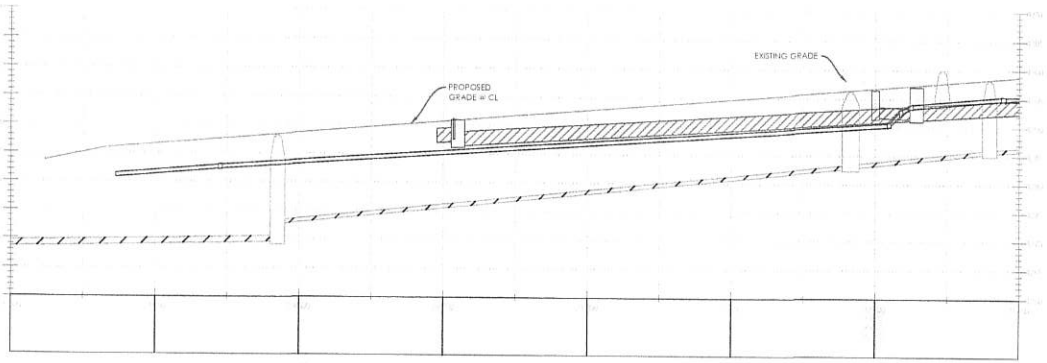
PROJECT NO. W-18-15
DATE 04/19/23
SHEET NUMBER C-14

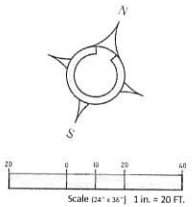
Blue Stakes of Utah 811

PLAN VIEW FUJI AVENUE - STA. 21+50 - END



PROFILE VIEW FUJI AVENUE - STA. 21+50 - END





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DRAWING TITLE

FUJI ACCESS DRIVE PP

CLIENT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS

PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

REVISIONS:

REV #	DESCRIPTION	DATE

WEBER ENGINEERING COLLECTIVE

CIVIL· PLANNING· SURVEYING

SALT LAKE CITY, UTAH
PHONE (385) 229-3662

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PROFESSIONAL ENGINEER
No. 9010869
JACOB EUGENE WEBER
STATE OF UTAH

PROJECT NO. W-18-15

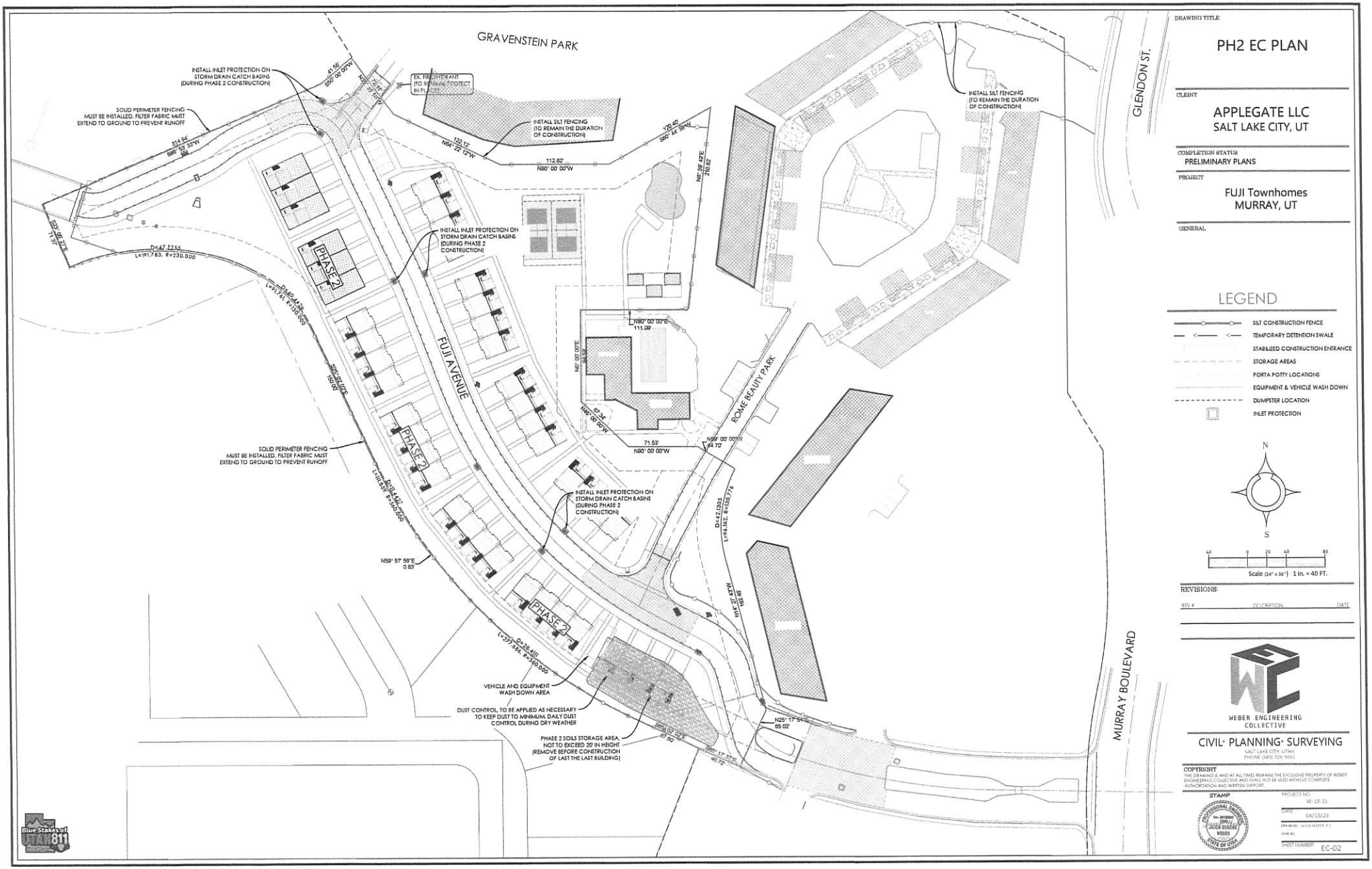
DATE 04/19/21

DRAWN BY: TSTM, KSLS, KT

CHECKED

SHEET NUMBER C-15

Blue Stakes of UTAH 811



DRAWING TITLE

PH2 EC PLAN

CLIENT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS
PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

LEGEND

- SILT CONSTRUCTION FENCE
- TEMPORARY DETENTION SWALE
- STABILIZED CONSTRUCTION ENTRANCE
- STORAGE AREAS
- PORTA POTTY LOCATIONS
- EQUIPMENT & VEHICLE WASH DOWN
- DUMPSTER LOCATION
- INLET PROTECTION

N

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Scale (24" x 36") 1 in. = 40 FT.

REVISIONS:

REV #	DESCRIPTION	DATE

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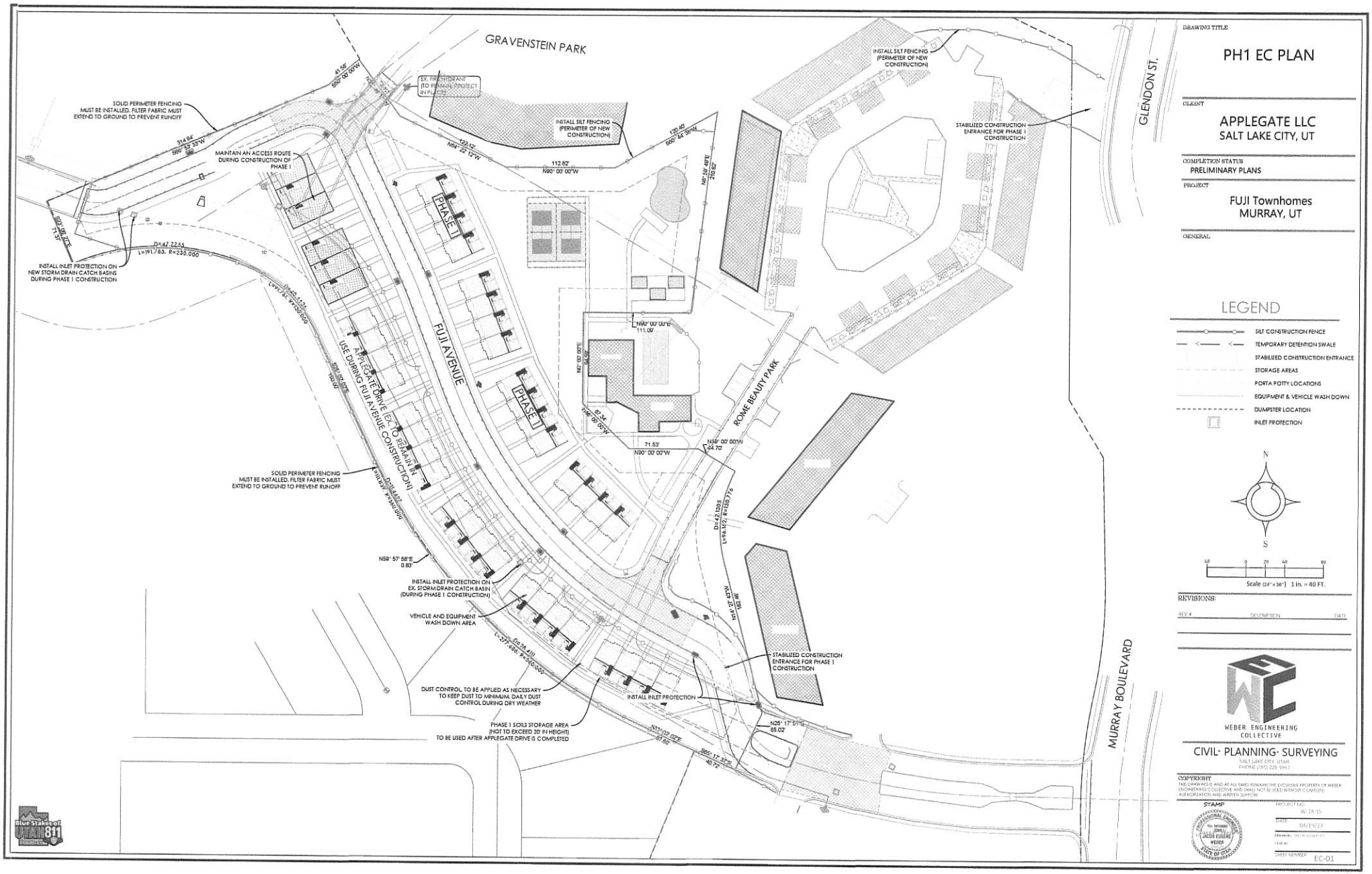
PROJECT NO. W-18-15

DATE 04/19/23

SHEET NUMBER EC-02



DRAWING TITLE

PH1 EC PLAN

CLIENT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS
PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

LEGEND

- SILT CONSTRUCTION FENCE
- TEMPORARY DETENTION SWALE
- STABILIZED CONSTRUCTION ENTRANCE
- STORAGE AREAS
- PORTA POTTY LOCATIONS
- EQUIPMENT & VEHICLE WASH DOWN
- DUMPSTER LOCATION
- INLET PROTECTION

N

S

-40 0 20 40 80

Scale (24" x 36") 1 in. = 40 FT.

REVISIONS:

REV #	DESCRIPTION	DATE

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PROFESSIONAL ENGINEER No. 9010880 JACOB EUGENE WEBER STATE OF UTAH

PROJECT NO. W-23-15
DATE 04/19/23
DRAWN BY JACOB WEBER, PE
CHECKED
SHEET NUMBER EC-01

Blue Stakes of UTAH 811

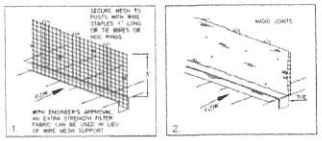
Silt fence

1. GENERAL
A. Description. A temporary sediment barrier consisting of a filter fabric stretched across and attached to supporting posts and entrenched.
B. Application. To intercept sediment from disturbed areas of limited extent.
C. Perimeter Control. Place barrier at down gradient limits of disturbance.
D. Sediment Barrier. Place barrier at toe of slope or soil stockpile.
E. Protection of Existing Watercourses. Place barrier at top of stream bank.
F. Inlet Protection.

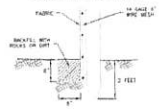
2. PRODUCTS
A. Fabric. Synthetic filter fabric shall be a pervious sheet of propylene, nylon, polyester, or polyethylene yarn. Synthetic filter fabric shall contain ultraviolet ray inhibitors and stabilizers to provide a minimum of 6 months of expected usable construction life at a temperature range of 0 deg F to 120 deg F.
B. Burlap. 10 ounces per square yard of fabric.
C. Posts. Either 2" x 4" diameter wood, or 1.33 pounds per linear foot steel with a minimum length of 5 feet, or steel posts with projections for fastening wire to them.

3. EXECUTION
A. Cut the fabric on site to desired width, unroll, and drape over the barrier. Secure the fabric toe with rocks or dirt and secure the fabric to the mesh with tie in, staples or similar devices.
B. When attaching to silt fences together, place the end post of the second fence inside the end post of the first fence. Rotate both posts at least 180 degrees on a clockwise direction to create a tight seal with the filter fabric. Drive both posts into the ground and bury the flap.
C. When used to control sediments from a steep slope, place silt fences away from the toe of the slope for increased holding capacity.
D. Maintenance.
Inspect immediately after each rainfall and at least daily during prolonged rainfall.
Should the fabric on a silt fence or filter barrier decompose or become ineffective before the end of the expected usable life and the barrier still be necessary, replace the fabric promptly.
Remove sediment deposits after each storm event. They must be removed when deposits reach approximately one-half the height of the barrier.
Re-anchor fence as necessary to prevent obstructing.
Inspect for runoff bypassing ends of barriers or undercutting barriers.

NARRATIVE THIS PLAN MAY BE USED FOR THE CONSTRUCTION OF A STORM WATER BEST MANAGEMENT PRACTICE (BMP). IT IS NOT INCLUSIVE OF ALL PRACTICES AVAILABLE AND IS ONLY SPECIFIC TO THE CONSTRUCTION OF THIS TYPE. MAINTENANCE OF THIS TYPE OF INSTALLATION IS IMPORTANT AND SHOULD BE CONTINUOUSLY MONITORED BY THE CONTRACTOR AND ENGINEER. DETAILS SHOWN HERE HIGHLIGHT IMPORTANT PARTS OF CONSTRUCTION, AND SHOULD BE MODIFIED AS NEEDED.



INSTALLATION SEQUENCE



TOE DETAIL

Silt fence

122

February 2006

122 SW-02 SILT FENCE

Inlet protection – fence or straw bale

1. GENERAL
A. Description. A temporary sediment barrier around storm drain inlet.
B. Application. At inlets in paved or unpaved areas where up gradient area is to be disturbed by construction activities.

2. PRODUCT (Not used)

3. EXECUTION
A. Installation and application criteria.
Provide up gradient sediment controls, such as silt fence during construction of inlet.
When construction of inlet is complete erect straw bale barrier, silt fence or other approved sediment barrier surrounding perimeter of inlet.
Install filter fabric completely around grate.
B. Maintenance.
Inspect inlet protection after every large storm event and at a minimum of once monthly.
Remove sediment accumulated when it reaches 4-inches in depth.
Repair or re-align barrier or fence as needed.
Look for bypassing or undercutting and re-compact soil around barrier or fence as required.

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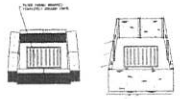


Inlet protection – fence or straw bale 124

124.5 SW-02 STRAW BAIL BARRIER

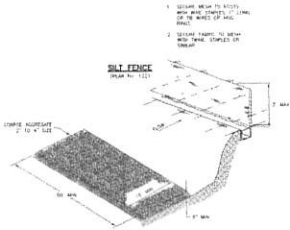
Equipment and vehicle wash down area

1. GENERAL
A. Description. A temporary stabilized pad of gravel for general washing of equipment and construction vehicles.
B. Application.
At any site where regular washing of vehicles and equipment will occur.
May also be used as a filling point for water trucks limiting erosion caused by overflow or spillage of water.

2. PRODUCT (Not used)

3. EXECUTION
A. Clear and grub area and grade to provide maximum slope of 1 percent away from paved roadways.
B. Compact subgrade.
C. Place filter fabric under wash down area if desired (recommended for wash area that remains more than 3 months).
D. Install silt fence down gradient (see Plan 122)
E. Maintenance.
Requires periodic top dressing with additional stones.
Solely used to control sediment in wash water. Cannot be utilized for washing equipment or vehicles that may cause contamination of runoff (such as fertilizer equipment or concrete equipment).
Keep the wash area in a condition which will prevent tracking or flow of mud into public rights-of-way.
Periodically dress the top with 2-inch stone may be required, as conditions demand, and repair any structures used to trap sediments.
Inspect daily for loss of gravel or sediment buildup.
Inspect adjacent area for sediment deposit and install additional controls as necessary.
Expand stabilized area as required to accommodate activities.
Maintain silt fence as outlined in Plan 122.

NARRATIVE THIS PLAN MAY BE USED FOR THE CONSTRUCTION OF A STORM WATER BEST MANAGEMENT PRACTICE (BMP). IT IS NOT INCLUSIVE OF ALL PRACTICES AVAILABLE AND IS ONLY SPECIFIC TO THE CONSTRUCTION OF THIS TYPE. MAINTENANCE OF THIS TYPE OF INSTALLATION IS IMPORTANT AND SHOULD BE CONTINUOUSLY MONITORED BY THE CONTRACTOR AND ENGINEER. DETAILS SHOWN HERE HIGHLIGHT IMPORTANT PARTS OF CONSTRUCTION, AND SHOULD BE MODIFIED AS NEEDED.



WASH DOWN AREA

Equipment and vehicle wash down area 125

February 2006

125 SW-02 EQUIP. WASHDOWN AREA

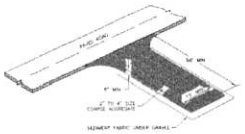
Stabilized roadway entrance

1. GENERAL
A. Description. A temporary stabilized pad of gravel for controlling equipment and construction vehicle access to the site.
B. Application. At any site where vehicles and equipment enter the public right of way.

2. PRODUCT (Not used)

3 EXECUTION
A. Clear and grub area and grade to provide maximum slope of 1 percent away from paved roadways.
B. Compact subgrade.
C. Place filter fabric under stone if desired (recommended for entrance area that remains more than 3 months).
D. Maintenance.
Prevent tracking or flow of mud into the public right-of-way.
Periodic top dressing with 2-inch stone may be required, as conditions demand, and repair any structures used to trap sediments.
Inspect daily for loss of gravel or sediment buildup.
Inspect adjacent area for sediment deposit and install additional controls as necessary.
Expand stabilized area as required to accommodate activities.

NARRATIVE THIS PLAN MAY BE USED FOR THE CONSTRUCTION OF A STORM WATER BEST MANAGEMENT PRACTICE (BMP). IT IS NOT INCLUSIVE OF ALL PRACTICES AVAILABLE AND IS ONLY SPECIFIC TO THE CONSTRUCTION OF THIS TYPE. MAINTENANCE OF THIS TYPE OF INSTALLATION IS IMPORTANT AND SHOULD BE CONTINUOUSLY MONITORED BY THE CONTRACTOR AND ENGINEER. DETAILS SHOWN HERE HIGHLIGHT IMPORTANT PARTS OF CONSTRUCTION, AND SHOULD BE MODIFIED AS NEEDED.

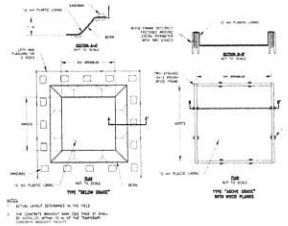


Stabilized roadway entrance 126

February 2006

126 SW-02 STABILIZED ROADWAY ENTRANCE

- Materials used to construct temporary worksite washout facilities shall be removed from the site of the work and disposed of or recycled.
- Holes, depressions or other ground disturbance caused by the removal of the temporary concrete washout facilities shall be backfilled, repaired, and stabilized to prevent erosion.



NOTES:
1. TOTAL LENGTH (LENGTH) IS TO VARY.
2. TOP CONCRETE AMOUNT MAY BE RAISED TO ALLOW FOR ADDITIONAL DEPTH TO TOP OF THE "DAM".

CW SW-02 CONCRETE WASHOUT AREA

DRAWING TITLE

EC DETAILS

CLIENT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS
PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

122 SW-02 SILT FENCE

124.5 SW-02 STRAW BAIL BARRIER

125 SW-02 EQUIP. WASHDOWN AREA

126 SW-02 STABILIZED ROADWAY ENTRANCE

CW SW-02 CONCRETE WASHOUT AREA

REVISIONS:

REV #	DESCRIPTION	DATE

WEBER ENGINEERING COLLECTIVE
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SALT LAKE CITY, UTAH
PHONE (385) 229-9663

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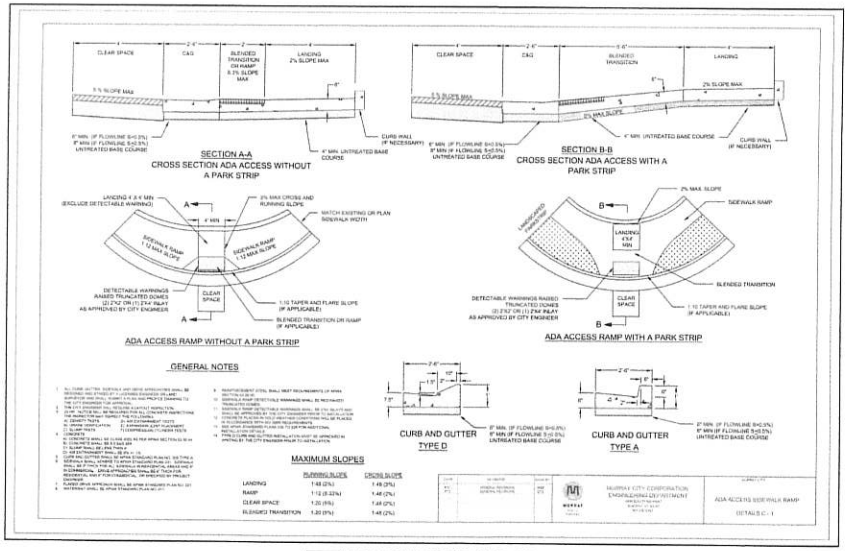
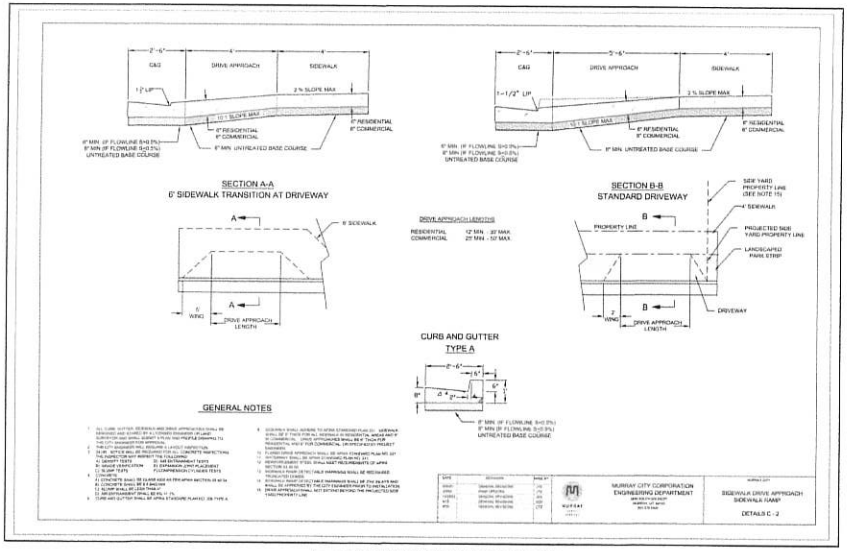
PROJECT NO. W-18-15
DATE 04/19/23
DRAWN BY: JACOB WEBER P.E.
CHKD BY:
SHEET NUMBER EC-03

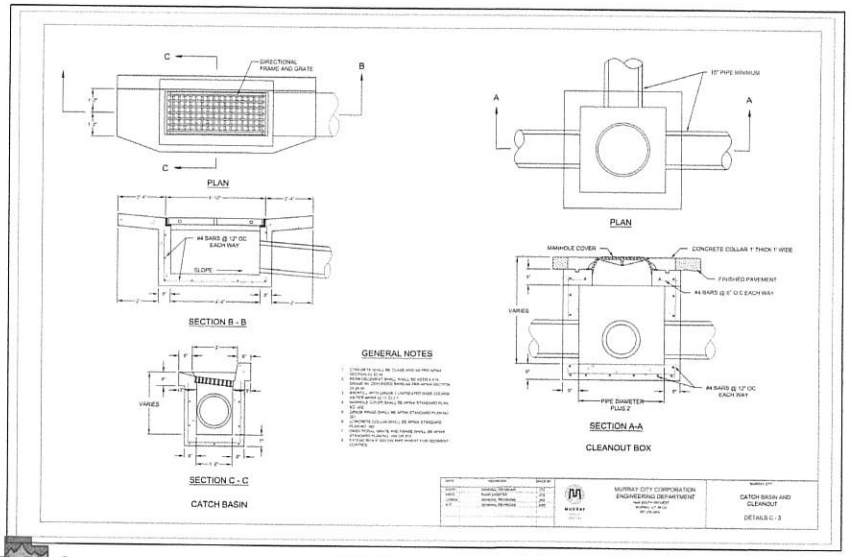
Blue Stakes of Utah 811



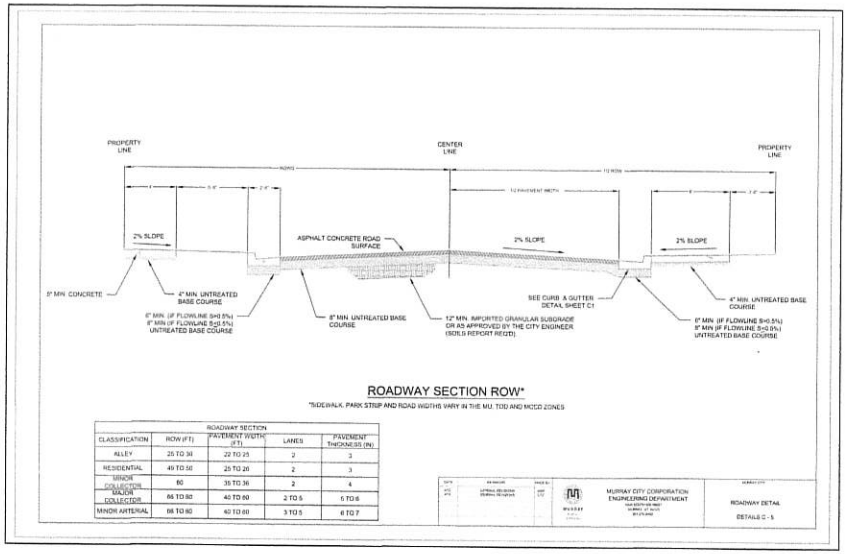
C-1 D-01 ADA ACCESS SIDEWALK RAMP



C-2 D-01 SIDEWALK DRIVE APP. S.W. RAMP



C-3 D-01 CATCH BASIN AND CLEANOUT



C-5 D-01 ROADWAY DETAILS

DRAWING TITLE

DETAILS

CLIENT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS
PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

DETAIL CALLOUTS

C-1 D-01 ADA ACCESS SIDEWALK RAMP

C-2 D-01 SIDEWALK DRIVE APP. S.W. RAMP

C-3 D-01 CATCH BASIN AND CLEANOUT

C-5 D-01 ROADWAY DETAILS

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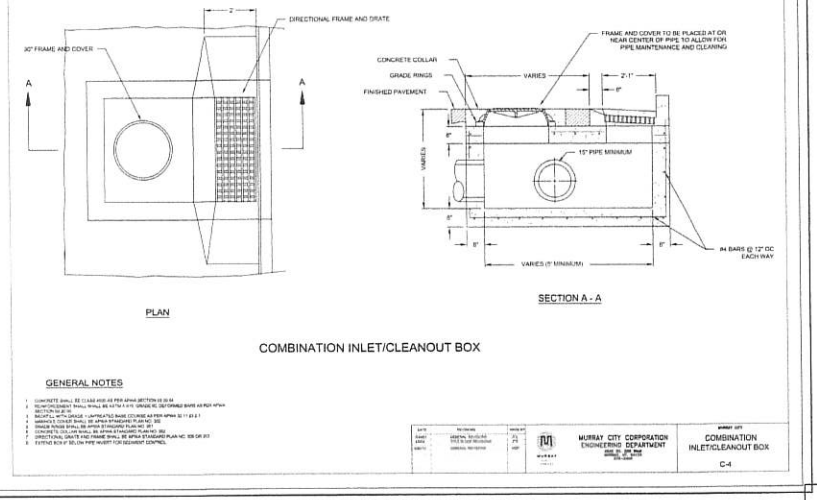
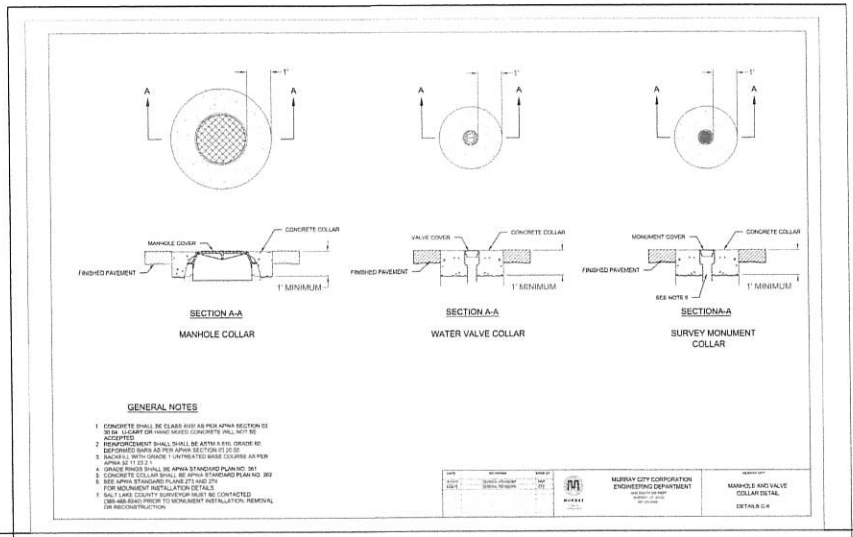
CHK BY:
SHEET NUMBER: D-01

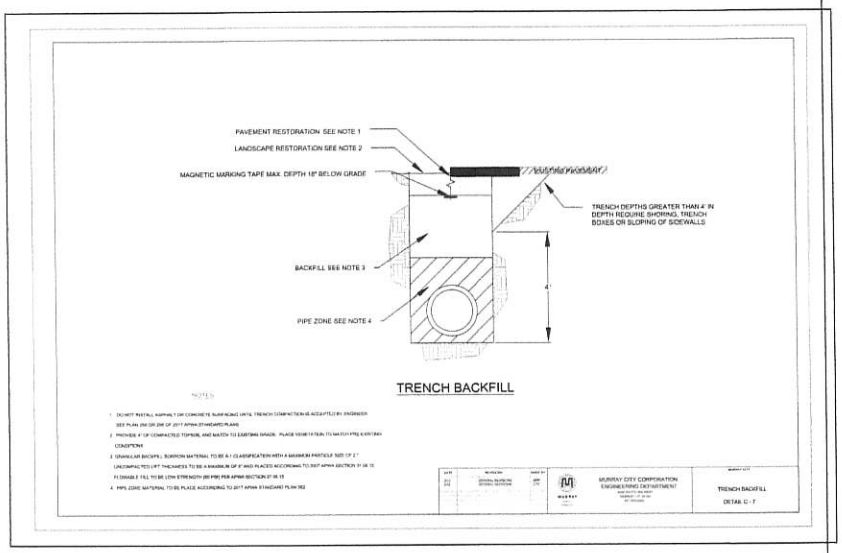
Blue Stakes of Utah 811



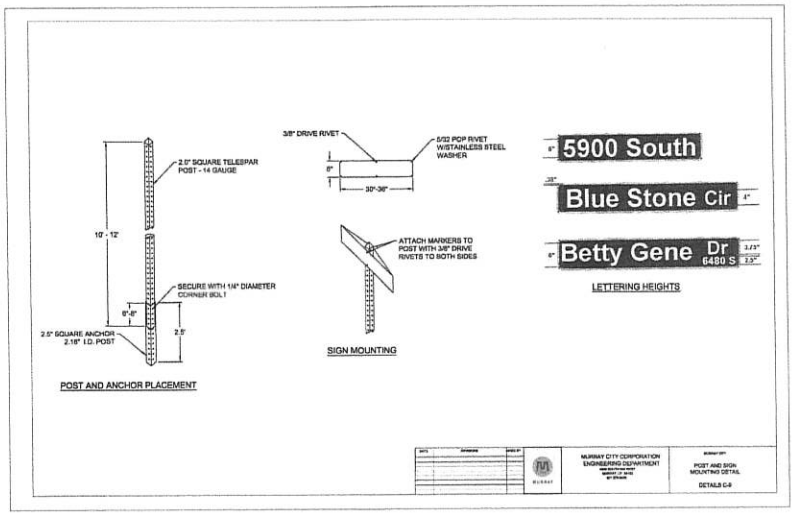
C-4 D-02 COMBINATION IN. CLEANOUT BOX



C-6 D-02 MANHOLE AND VALVE COLLAR



C-7 D-02 TRENCH BACKFILL



C-5 D-02 POST AND SIGN MOUNTING DETAIL

Engineering Specifications & Requirements 13 Murray City Engineering

DRAWING TITLE

DETAILS

CLIENT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS
PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

DETAIL CALLOUTS

C-4 D-02 COMBINATION IN. CLEANOUT BOX

C-6 D-02 MANHOLE AND VALVE COLLAR

C-7 D-02 TRENCH BACKFILL

C-5 D-02 POST AND SIGN MOUNTING DETAIL

REVISIONS:

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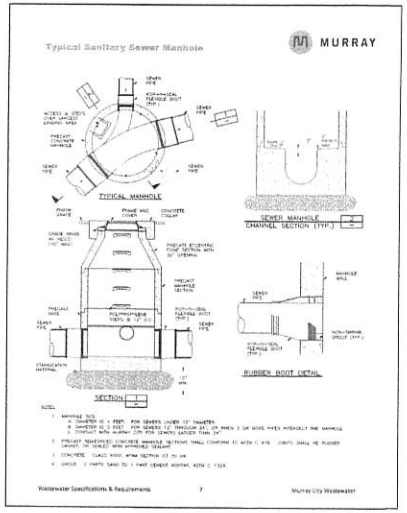
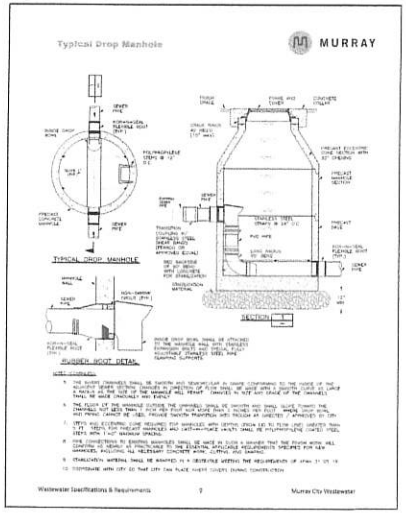
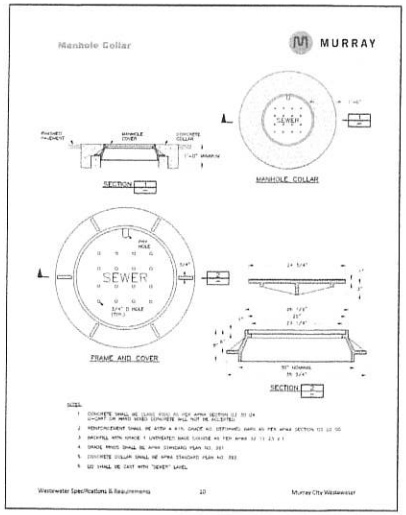
SHEET NUMBER D-02



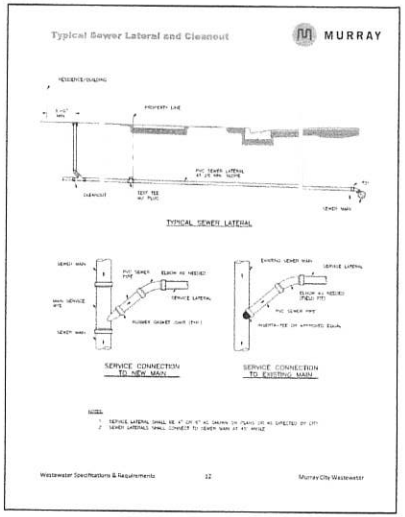
MCW-07 D-03 SANITARY SEWER MANHOLE



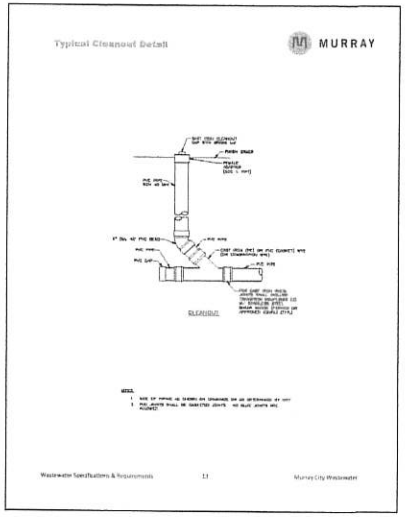
MCW-09 D-03 DROP MANHOLE



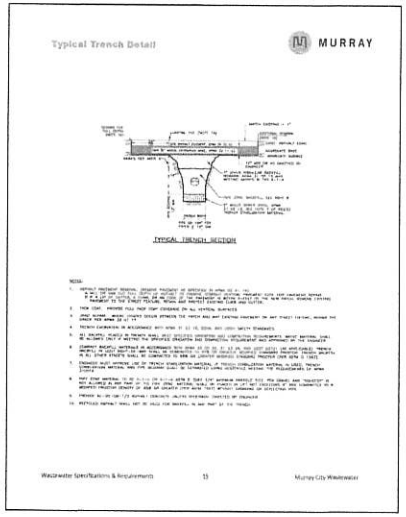
MCW-10 D-03 MANHOLE COLLAR



MCW-12 D-03 SEWER LATERAL AND C.O.



MCW-13 D-03 CLEANOUT DETAIL



MCW-15 D-03 TRENCH DETAIL

DRAWING TITLE

SEWER DETAILS

CLIENT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS
PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

DETAIL CALLOUTS

MCW-07 D-03 SANITARY SEWER MANHOLE

MCW-09 D-03 DROP MANHOLE

MCW-10 D-03 MANHOLE COLLAR

MCW-12 D-03 SEWER LATERAL AND C.O.

MCW-13 D-03 CLEANOUT DETAIL

MCW-15 D-03 TRENCH DETAIL

REVISIONS:

REV #	DESCRIPTION	DATE

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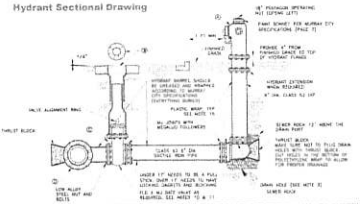
PROJECT NO. W-16-15
DATE 04/19/23
DRAWING SHEET NO. D-03

Blue Stakes of Utah 811

Installation (Continued)

MURRAY CITY WATER

Hydrant Sectional Drawing



ITEM	DESCRIPTION	PART NUMBER	ITEM	DESCRIPTION	PART NUMBER
①	FLANGE 24 INCH FIRE HYDRANT AS FOLLOWS, PART NUMBER PER MURRAY CITY SPECIFICATIONS	ACCEPTABLE MAKES ARE CLIFFORD MEGAMUS MODEL 860 (OR EQUAL)	⑪	GATE VALVE WITH 2" X 2" OPERATING NUT	ACCEPTABLE MAKES ARE CLIFFORD MEGAMUS MODEL 130 (OR EQUAL)
②	6" DUCTILE IRON PIPE		⑫	6" X 4" DUCTILE IRON MECHANICAL JOINT TEE	

SECTIONALS FOR HYDRANT PADS

AREA	SIZE	CONCRETE MIX
OVER AREA	6' X 6'	6" THICK 4 KI 40 CLASS AA(AE)
CURB TO SIDEWALK	5' X 3'	5" THICK 4 KI 40 CLASS AA(AE)

Water Specifications & Requirements 10 Murray City Water

MCW-10 D-04 FIRE HYDRANT

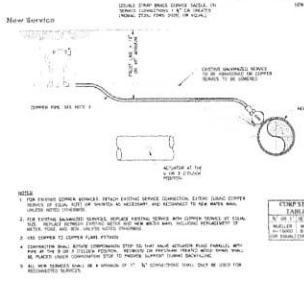
Installation (Continued)

MURRAY CITY WATER

Water Service Taps

Existing Service Connection

New Service



Water Specifications & Requirements 12 Murray City Water

MCW-12 D-04 WATER LATERAL DTL.

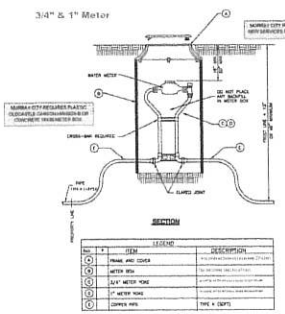
Installation (Continued)

MURRAY CITY WATER

Meter Box Installation

1. All meters are to be installed in the park strip or within 5 feet of the property line (street side).
2. Do not install meter boxes under driveway approaches, sidewalks, in parking lots, or under curb and gutter. Box should be placed in a landscaped area.
3. The box shall be set so that the grade of the frame and the cover matches the grade of the surrounding surface.
4. Concrete meter boxes with larger lids may be deemed necessary by Murray City personnel in a situation where the meter must by placed in an asphalt, concrete or other high traffic area.

3/4" & 1" Meter



No.	#	ITEM	DESCRIPTION
A		FRAME AND COVER	
B		METER BOX	
C		3/4" METER YOKE	
D		1" METER YOKE	
E		COPPER PIPE	TYPE K (SOFT)

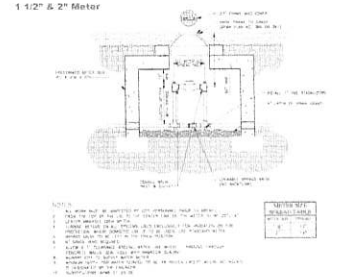
Water Specifications & Requirements 14 Murray City Water

MCW-14 D-04 WATER METER BOX

Installation (Continued)

MURRAY CITY WATER

1 1/2" & 2" Meter



Meter Box in Concrete Installation

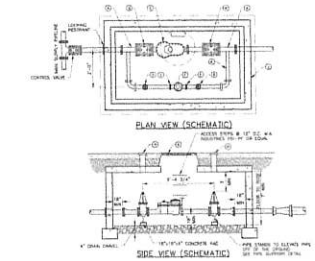
Water Specifications & Requirements 15 Murray City Water

MCW-15 D-04 1.5 Inch. & 2 inch METER

Installation (Continued)

MURRAY CITY WATER

Meters Larger than 2"



PLAN VIEW (SCHEMATIC)

SIDE VIEW (SCHEMATIC)

No.	#	ITEM	DESIGNATION
A		8" GR x" FLANGE X ALL ADAPTER	
B		8" GR 4" GATE VALVE WITH 2" X 2" OPERATING NUT	
C		4" GR 4" METER	
D		2" GATE VALVE	
E		2" METER FLANGE	
F		2" COPPER ALL METER	
G		2" THREE AND COVER	
H		TOP SECTION OF VALVE BOX WITH LID	
I		CONCRETE BOX	APWA PLAN NO. 509
J		BRASS PIPING	

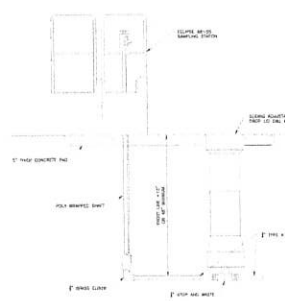
Water Specifications & Requirements 16 Murray City Water

MCW-16 D-04 WATER METERS

Installation (Continued)

MURRAY CITY WATER

Sampling Stations



1. ¾ inch tap shall be installed using C.C. corp with flare fitting (see water service tops page 9).
2. Type K copper tubing must be installed from the water main to the sampling station.
3. All connections shall be lead free brass with flared fittings.
4. All work must be inspected by a Murray City Water Division inspector prior to being backfilled.
5. Bottom of sampling station enclosure needs to be wrapped in 20 mil tape and set in concrete pad for support.

Water Specifications & Requirements 17 Murray City Water

MCW-17 D-04 WATER SAMPLING STATION

Blue Stakes of UTAH 811

DRAWING TITLE

WATER DETAILS

CLIENT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS
PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

DETAIL CALLOUTS

MCW-10 D-04 FIRE HYDRANT

MCW-12 D-04 WATER LATERAL DTL.

MCW-14 D-04 WATER METER BOX

MCW-15 D-04 1.5 Inch. & 2 inch METER

MCW-16 D-04 WATER METERS

MCW-17 D-04 WATER SAMPLING STATION

REVISIONS:

REV #	DESCRIPTION	DATE

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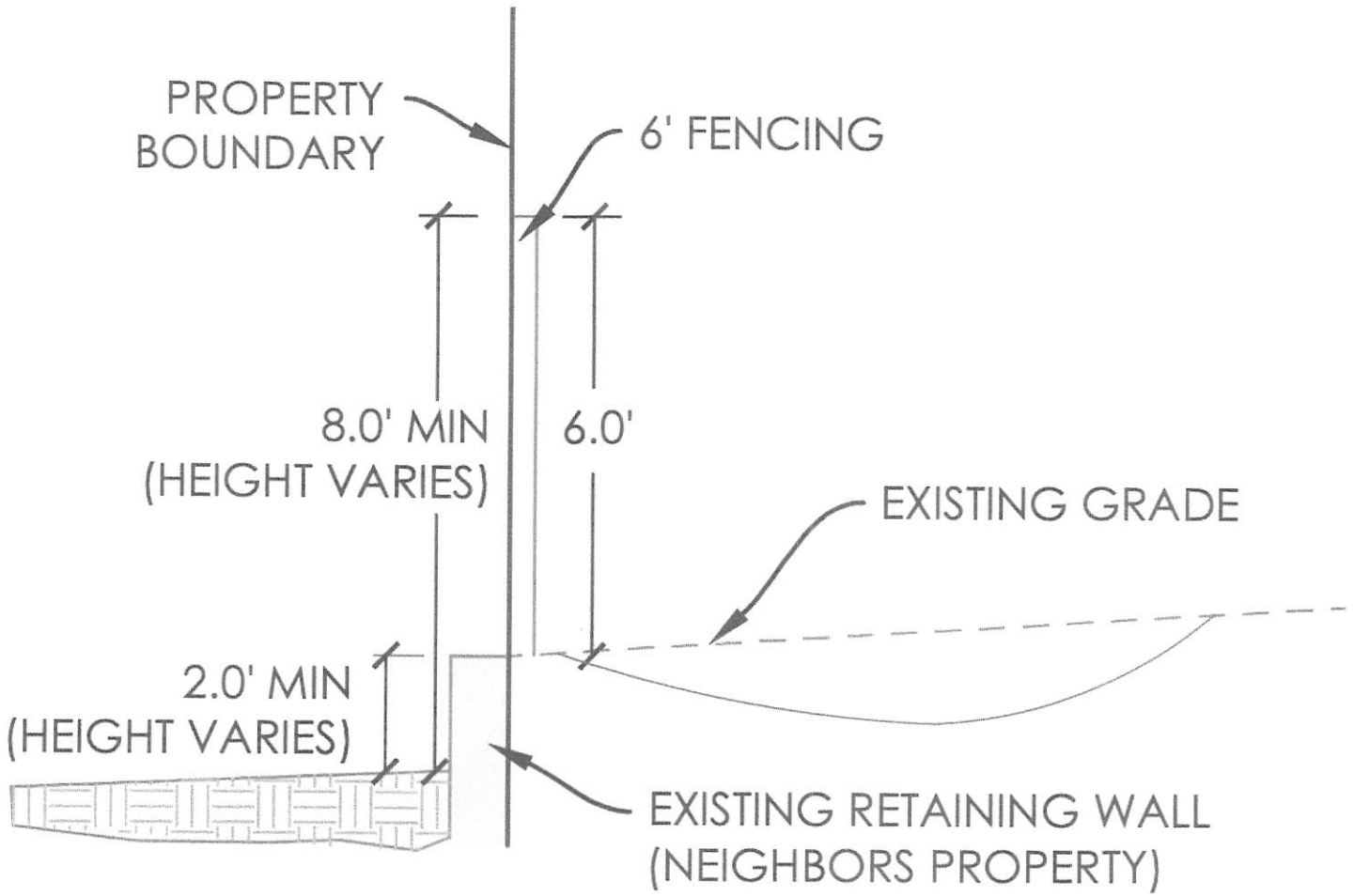
PROJECT NO. W-18-15

DATE 04/19/23

DRAWN BY: JW CK'D BY: K.T.

CHKD BY:

SHEET NUMBER D-04



SECTION B-B - PERIMETER FENCING

LANDSCAPE NOTES:

GENERAL

1. ALL OUTDOOR LIGHTING SHALL BE DARK SKY COMPLIANT, AND ARC APPROVED.
2. AREAS DISTURBED BY SITE DEVELOPMENT WILL BE RESTORED TO REFLECT THE CHARACTERISTICS OF THE NATURAL ENVIRONMENT GRAND
3. ENHANCED WITH PLANTS SELECTED FROM THE APPROVED PLANT LIST.
4. PERMANENT DRIP IRRIGATION WILL BE PROVIDED FOR TREES. AS NEEDED IRRIGATION WILL BE PROVIDED FOR OTHER LANDSCAPING IN
5. PRIVATE AND TRANSITIONAL AREAS EXCLUDING TREES, PERMANENT IRRIGATION OF THE NATIVE AREAS IS NOT PERMITTED.
6. OWNERS WILL VEGETATE, IRRIGATE, AND MAINTAIN THE AREA FROM THE EDGE OF ASPHALT TO THE PRIVATE AREA WITH PLANTS AND
7. TREES SELECTED FROM THE APPROVED PLANT LIST.
8. OWNERS ARE RESPONSIBLE TO PROVIDE ACCESS TO AND TO REPAIR DAMAGE THAT MAY OCCUR WITHIN THE PUES AND RIGHTS-OF-WAY
9. BY ANY UTILITY COMPANY OR THE ASSOCIATION FOR ANY SERVICES, REPAIRS, OR MAINTENANCE INCLUDING SNOW REMOVAL.
10. ALL WORK IS TO BE PERFORMED BY AN EXPERIENCED LANDSCAPE CONTRACTOR WITH NO LESS THAN FIVE(5) YEARS OF EXPERIENCE OF PROJECTS SIMILAR IN SCOPE AND SIZE.
11. THE LANDSCAPE CONTRACTOR IS TO VERIFY THE LOCATION OF ALL UNDERGROUND UTILITIES PRIOR TO INSTALLATION, ALL UTILITIES MUST BE CLEARLY MARKED. BEFORE EXCAVATION ALL UTILITIES ARE TO BE POT-HOLED BY HAND OR EQUIPMENT IN A MANNER THAT DOES NOT CAUSE DAMAGE.
    UTILITY SETBACKS:
    WATER & SEWER LINES - 10 FEET
    GAS LINES - 4 FEET
    FIRE HYDRANTS- 5 FEET (LIMIT PLANT HEIGHT TO 8")
12. CONTRACTOR TO VERIFY ALL PLANT LOCATIONS AND QUANTITY BEFORE INSTALLATION. IF DISCREPANCIES BETWEEN PLAN AND PLANTING SCHEDULE EXIST, PLAN TAKES PRECEDENCE OVER PLANTING SCHEDULE.
13. ANY FIELD ADJUSTMENTS TO PLANT LOCATIONS SHALL BE MADE UNDER THE DIRECTION OF THE LANDSCAPE ARCHITECT OR OWNER'S REPRESENTATIVE. ANY PLANT LOCATION ADJUSTMENTS OR SUBSTITUTIONS SHALL BE APPROVED BY THE CITY PLANNING OFFICE PRIOR TO ANY CHANGE FROM THE APPROVED LANDSCAPE PLAN.
14. THE WARRANTY PERIOD UNLESS STATED OTHERWISE WILL BE ONE YEAR AFTER SUBSTANTIAL COMPLETION. ALL LANDSCAPE MATERIAL DAMAGED OR DEAD DUE TO INSTALLATION METHODS WILL BE REPLACED AT OWNER'S DISCRETION.

PLANTING

15. ALL TREES IN TURF AREAS ARE TO BE PLANTED WITH SPECIFIED WOOD MULCH AT A DEPTH OF 4". NO WEED BARRIER FABRIC UNDER CEDAR MULCH.
16. STAKE ALL TREES WITH 6' TREATED PINE POSTS. USE GUY WIRES WITH NON-STRECH NYLON PROTECTIVE STRAPS AROUND TRUNK.
    3 STAKES PER DECIDUOUS TREE
    3 STAKES PER EVERGREEN TREE
17. ALL PLANTING PITS ARE TO BE CLEARED OF ALL ROCK, SUB BASE MATERIAL, AND DEBRIS. AMENDED TOPSOIL TO BE INSTALLED WITHIN, PER DETAIL.
18. NO FINAL GRADES CAUSING DRAINAGE AWAY FROM CURBS, DESIGNATED DRAINAGE INLETS, OR STAGNATE WATER WILL BE ALLOWED.
19. PLACE 4" CORRUGATED PIPE AROUND ALL TREE TRUNKS. TOP OF THE PIPE MUST BE 4" MIN. FROM THE LOWEST BRANCH.
20. ALL TREES TO BE BALLED & BURLAP WITH SIZES AND SPECIES TRUE TO THE PLANT LEGEND.
21. PLANT SUBSTITUTIONS SHALL BE REQUESTED IN WRITING AND APPROVED BY THE LANDSCAPE CONTRACTOR PRIOR TO CONSTRUCTION BY OWNER.
22. ALL PLANTING MATERIAL SHALL BE APPROVED AND INSPECTED BY OWNER'S REPRESENTATIVE PRIOR TO INSTALLATION. TREE AND SHRUB TAGS SHALL BE LEFT ON PLANTS UNTIL INSPECTED.
23. LANDSCAPE CONTRACTOR IS TO COORDINATE SCHEDULE IN A MANNER THAT ALLOWS PLANTING MATERIAL TO BE INSTALLED IN A TIMELY MANNER. IF TEMPORARY STORAGE IS NECESSARY, CONTRACTOR SHALL PROVIDE ADEQUATE PROTECTION FROM WEATHER AND HEAT. REGULAR WATERING IS REQUIRED UNTIL INSTALLATION.
24. NO OPEN PLANTING PITS SHALL BE LEFT OPEN OR UNATTENDED.
25. THE PLANT SCHEDULE IS FOR REFERENCE ONLY, CONTRACTOR TO VERIFY ALL QUANTITIES AND LOCATIONS SHOWN ON THE LANDSCAPE PLAN.
26. ALL PLANTING MATERIAL SHALL COMPLY TO THE STANDARDS OF ANSI FOR NURSERY STOCK.

GROUND COVERS/MULCHES

27. THE FINAL GRADE IN TURF AREAS ARE TO BE 1" BELOW ANY PAVED SURFACE OR EDGING IN ORDER TO RETAIN SOD.
28. THE FINAL GRADE IN ALL MULCHED AREAS ARE TO BE 3" BELOW ANY PAVED SURFACE OR EDGING IN ORDER TO RETAIN MULCH.
29. ROCK MULCH AREAS ARE TO HAVE WEED BARRIER FABRIC INSTALLED UNDERNEATH. DEPTH OF ROCK MULCH SHALL BE 4" MINIMUM & OBTAINED FROM A LOCAL SUPPLIER, OWNER TO APPROVE PROVIDED SAMPLE BEFORE INSTALLATION.
30. WEED BARRIER FABRIC IS TO BE DEWITT PRO 5.5 OR APPROVED EQUAL. SECURE FABRIC WITH COMMERCIAL GRADE FABRIC PINS, 6" LONG BY 1" WIDE. LAY FABRIC PARALLEL TO FINAL GRADE WITH 6" OVERLAPS BETWEEN SECTIONS.
31. WOOD MULCH AREAS DO NOT REQUIRE WEED BARRIER FABRIC. DEPTH OF CEDAR MULCH SHALL BE 4" MINIMUM & OBTAINED FROM A LOCAL SUPPLIER, OWNER TO APPROVE PROVIDED SAMPLE BEFORE INSTALLATION.

TURF

32. REFER TO LANDSCAPE PLAN AND SCHEDULE FOR ALL TURF AREAS. TURF SHALL BE AN IMPROVED KENTUCKY BLUEGRASS VARIETY WITH AT LEAST THREE VARIETIES.
33. CONTRACTOR TO SUBMIT PRODUCT INFORMATION TO OWNER'S REPRESENTATIVE PRIOR TO INSTALLATION.
34. LAY TURF WITHIN 24 HOURS OF DELIVERY. PRIOR TO INSTALLATION THE CONTRACTOR SHALL HAVE THE IRRIGATION SYSTEM FULLY OPERATIONAL.
35. TURF SHALL BE FREE OF NOXIOUS WEEDS AND IN HEALTHY CONDITION. ALL DEBRIS 1 INCH OR GREATER SHALL BE REMOVED.
36. ON FINAL GRADES 3:1 OR GREATER, CONTRACTOR TO STABILIZE ROLLS WITH WOOD PEGS OR SOD STAPLES. TURF TO BE LAID PARALLEL TO SLOPE, STAGGER ROLLS WITH NO OVERLAPPING OR GAPS.
37. AFTER TURF IS INSTALLED, ALL AREAS ARE TO BE IMMEDIATELY IRRIGATED.
38. CONTRACTOR TO ERECT FENCING OR WARNING TAP AROUND TURF AREAS TO DETER FOOT TRAFFIC DURING THE ENTIRETY OF THE WARRANTY PERIOD OR UNTIL SOD IS COMPLETELY ESTABLISHED.

SEED

39. ALL AREAS DISTURBED DURING CONSTRUCTION SHALL BE SEEDED UNLESS STATED OTHERWISE.
40. SEEDING SHALL BE INSTALLED DURING THE TIME PERIOD BETWEEN MAY AND OCTOBER.
41. SEED SHALL BE 95% PURE LIVE SEED.
42. ALL SEEDED AREAS SHALL BE RIPPED AND TILLED AT A DEPTH OF 4" WITH FINAL GRADE ESTABLISHED PRIOR TO SEEDING.
43. CONTRACTOR TO USE A BRILLION TYPE SEEDER WITH ROWS NOT EXCEEDING 8 INCHES. IN AREAS WHERE EQUIPMENT IS NOT PRACTICAL, HAND BROADCAST AT TWICE THE RATE.
44. NO SEEDING SHALL OCCUR DURING TIMES OF EXCESSIVE WIND OR FREEZING TEMPERATURES.
45. STRAW MULCH OR HYDRO-MULCH NEEDS TO BE INSTALLED WITHIN 24 HOURS AFTER SEEDING. STRAW MULCH IS TO BE SPREAD AT A RATE OF 2 TONS/ACRE. HYDRO-MULCH IS TO BE SPREAD AT A RATE OF 1 TON/ACRE UNIFORMLY. NO OPEN OR BARE AREAS SHALL BE ALLOWED.

SOIL PREPARATION & EROSION CONTROL

46. AREAS RECEIVING PLANT MATERIAL SHALL BE AMENDED WITH COMMERCIAL GRADE CLASS II COMPOST.
47. COMPOST SHALL BE SPREAD AT A RATE OF 3 CY / 1000 SQ FT IN PLANTING BEDS AND TURF AREAS. 2 CY / 1000 SQ FT IN SEEDED AREAS. TILL COMPOST INTO TOPSOIL AT A DEPTH OF 6 INCHES.
48. CLEAR SOIL OF ALL ROCK, BRANCHES OR MISC. DEBRIS OVER 1 INCH IN SIZE.

FERTILIZER

SOD - COMMERCIAL GRADE (NPK: 18-46-0) APPLICATION RATE: 10LBS / 1000 SQ FT

SEED - COMMERCIAL GRADE (NPK: 18-46-0) APPLICATION RATE: 10LBS / 1000 SQ FT

PLANTS - BIOSOLE FORTE (NPK: 7-2-1)

IRRIGATION

49. ALL LANDSCAPE AREAS TO RECEIVE IRRIGATION BY AN UNDERGROUND AUTOMATIC IRRIGATION SYSTEM. ALL TREES AND SHRUB BEDS TO BE DRIP IRRIGATED, ALL SOD TO BE IRRIGATED WITH SPRAY AND ROTOR HEADS.
50. THE IRRIGATION SYSTEM IS TO BE INSTALLED BY THE LANDSCAPE CONTRACTOR. CONTRACTOR TO VERIFY LOCATION OF POINT OF CONNECTION, AND STATIC PRESSURE OF SYSTEM BEFORE INSTALLATION.
51. TREES PLANTED IN ROCK MULCHED AREAS SHOULD HAVE DRIP IRRIGATION WITH A MINIMUM OF 3 EMITTERS OR BUBBLERS PLACED ON OPPOSITE SIDES OF THE STEM OR DRIP TUBING RINGS (PREFERRED) WITH A MINIMUM OF 4 INLINE EMITTERS. ALL EMITTERS SHOULD BE PLACED ON TOP OF THE ROOT, AT THE PERIMETER OF THE AMENDED SOIL AREA.

LEGEND

1. CLUBHOUSE
2. PICKLE-BALL COURTS
3. PLAYGROUND AREA
4. POOL
5. DOG PARK
6. DETENTION POND
7. GRASS LAWNS
8. COURTYARD
9. PAVILION'S
10. TOWNHOMES

PLANTING LEGEND

EXISTING TREES TO REMAIN

PROPOSED CANOPY & STREET TREES

PROPOSED SHRUBS & PERENNIALS

N

40' 0 40' 80'

Scale 1" = 40'

Scale 1" = 80' for 11x17

THIS DOCUMENT IS RELEASED FOR REVIEW ONLY. IT IS NOT INTENDED FOR CONSTRUCTION UNLESS SIGNED AND SEALED.

BRYAN M. NICHOLAS, P.L.A.
SERIAL NO. 12902836 - 5301
DATE: 09 NOV 2022

FUJI TOWNHOMES
MURRAY, UTAH

PRELIMINARY
LANDSCAPE PLAN

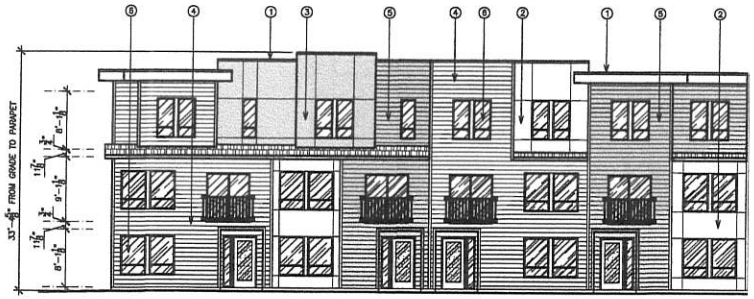
berg LANDSCAPE ARCHITECTS
380 E Main St, Suite 204
Midway, Ut 84049 ph. (801) 723-2000

DESIGN BY:BMN	DATE:09 NOV 2022	SHEET
DRAWN BY:BMN	REV:	L1

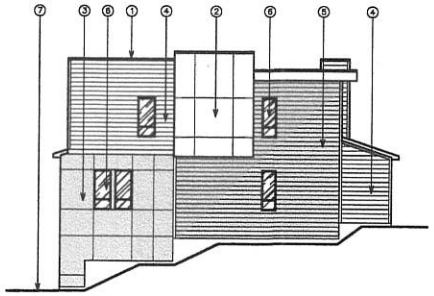
LEGEND

1. PRE-FINISHED, SLOPED EDGE CAP FLASHING W/ DRIP EDGE.
2. STUCCO SYSTEM (1 COAT), OVER WIRE LATH, OVER (1) LAYER GRADE 'D' FELT APPLIED SHINGLE STYLE, OVER MASTERSEAL AWB 665 FLUID APPLIED AIR BARRIER SYSTEM (INSTALL PER MANUFACTURER'S SPECIFICATIONS), OVER SHEATHING PER STRUCTURAL. STUCCO SYSTEM TO BE APPROVED MANUFACTURER PER ES REPORT #362, OR CITY/ARCHITECT APPROVED EQUAL. PREPARE SUBSTRATE & INSTALL PER MANUFACTURER'S INSTRUCTIONS, DETAILS, AND RECOMMENDATIONS INCLUDING CONTROL JOINTS SPACING.
3. STUCCO SYSTEM (1 COAT), OVER WIRE LATH, OVER (1) LAYER GRADE 'D' FELT APPLIED SHINGLE STYLE, OVER MASTERSEAL AWB 665 FLUID APPLIED AIR BARRIER SYSTEM (INSTALL PER MANUFACTURER'S SPECIFICATIONS), OVER SHEATHING PER STRUCTURAL. STUCCO SYSTEM TO BE APPROVED MANUFACTURER PER ES REPORT #362, OR CITY/ARCHITECT APPROVED EQUAL. PREPARE SUBSTRATE & INSTALL PER MANUFACTURER'S INSTRUCTIONS, DETAILS, AND RECOMMENDATIONS INCLUDING CONTROL JOINTS SPACING.
4. FIBER-CEMENT BOARD SIDING. PAINT & INSTALL PER MANUFACTURER'S SPECS. HORIZONTAL LAP PER ELEVATIONS COLOR A
5. FIBER-CEMENT BOARD SIDING. PAINT & INSTALL PER MANUFACTURER'S SPECS. HORIZONTAL LAP PER ELEVATIONS COLOR B
6. OBL. GLAZED VINYL SLIDING WINDOWS & PATIO DOORS. SEE DETAIL 1/A-301. CAULK ALL AROUND.
7. FINISH GRADE PER CIVIL DRAWINGS.

NOTE:MASTERSEAL AWB 665 FLUID APPLIED AIR BARRIER SYSTEM TO BE INSTALLED BEHIND ALL EXTERIOR FINISHES. INSTALL PER MANUFACTURER'S SPECIFICATIONS.



A A-201.1 FRONT ELEVATION
SCALE: 1/8" = 1'-0"



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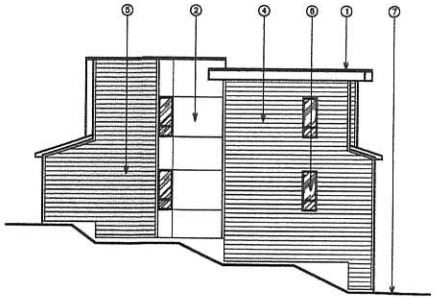

B A-201.1 LEFT ELEVATION
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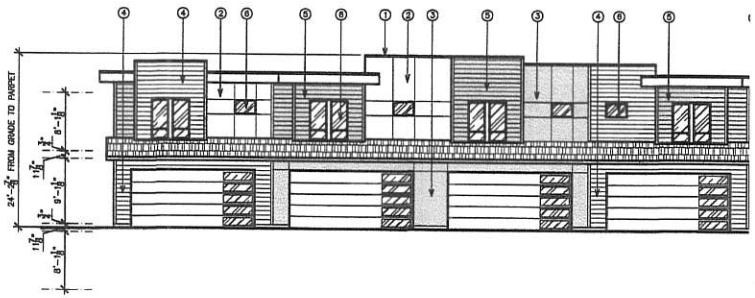

D A-201.1 REAR ELEVATION
SCALE: 1/8" = 1'-0"

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FUJI TOWNHOMES
Murray, UT

EXTERIOR ELEVATIONS
SOUTH BUILDING

Nov. 8, 2022

A-201.1

LEGEND

1. PRE-FINISHED, SLOPED EDGE CAP FLASHING W/ DRIP EDGE.
2. STUCCO SYSTEM (1 COAT), OVER WIRE LATH, OVER (1) LAYER GRADE 'D' FELT APPLIED SHINGLE STYLE, OVER MASTERSEAL AWB 665 FLUID APPLIED AIR BARRIER SYSTEM (INSTALL PER MANUFACTURER'S SPECIFICATIONS), OVER SHEATHING PER STRUCTURAL. STUCCO SYSTEM TO BE APPROVED MANUFACTURER PER ES REPORT #382, OR CITY/ARCHITECT APPROVED EQUAL. PREPARE SUBSTRATE & INSTALL PER MANUFACTURER'S INSTRUCTIONS, DETAILS, AND RECOMMENDATIONS INCLUDING CONTROL JOINTS SPACING.
3. STUCCO SYSTEM (1 COAT), OVER WIRE LATH, OVER (1) LAYER GRADE 'D' FELT APPLIED SHINGLE STYLE, OVER MASTERSEAL AWB 665 FLUID APPLIED AIR BARRIER SYSTEM (INSTALL PER MANUFACTURER'S SPECIFICATIONS), OVER SHEATHING PER STRUCTURAL. STUCCO SYSTEM TO BE APPROVED MANUFACTURER PER ES REPORT #382, OR CITY/ARCHITECT APPROVED EQUAL. PREPARE SUBSTRATE & INSTALL PER MANUFACTURER'S INSTRUCTIONS, DETAILS, AND RECOMMENDATIONS INCLUDING CONTROL JOINTS SPACING.
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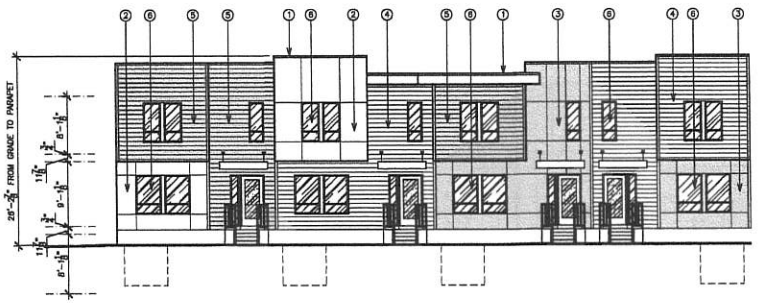
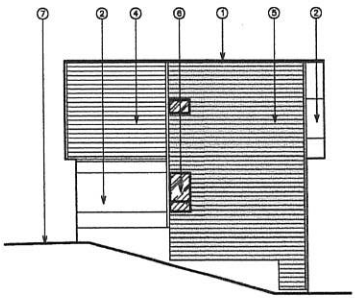
6. DBL. GLAZED VINYL SLIDING WINDOWS & PATIO DOORS, SEE DETAIL 1/A-301. CAULK ALL AROUND.
7. FINISH GRADE PER CIVIL DRAWINGS.

NOTE:MASTERSEAL AWB 665 FLUID APPLIED AIR BARRIER SYSTEM TO BE INSTALLED BEHIND ALL EXTERIOR FINISHES. INSTALL PER MANUFACTURER'S SPECIFICATIONS.



A FRONT ELEVATION
A-201.2 SCALE: 1/8" = 1'-0"



C RIGHT ELEVATION
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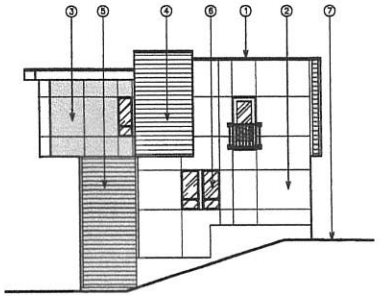
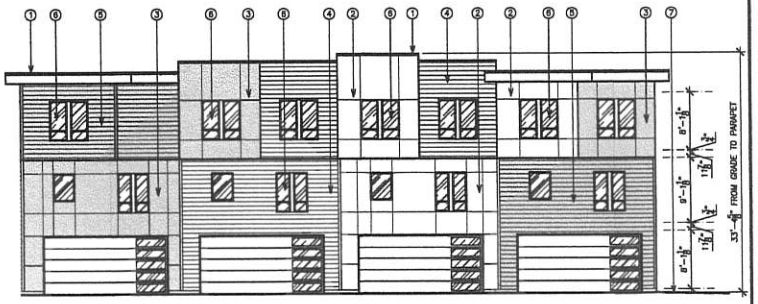


B LEFT ELEVATION
A-201.2 SCALE: 1/8" = 1'-0"



D REAR ELEVATION
A-201.2 SCALE: 1/8" = 1'-0"

Tuttle and Associates, Inc.
ARCHITECTS

FUJI TOWNHOMES
Murray, UT

EXTERIOR ELEVATIONS
NORTH BUILDING

DATE: Nov. 8, 2022
ISSUED:
DRAWN BY:
DRAWING NO. A-201.2

LEGEND

1. PRE-FINISHED, SLOPED EDGE CAP FLASHING W/ DRIP EDGE.
2. STUCCO SYSTEM (1 COAT), OVER WIRE LATH, OVER (1) LAYER GRADE 'D' FELT APPLIED SHINGLE STYLE, OVER MASTERSEAL AWB 685 FLUID APPLIED AIR BARRIER SYSTEM (INSTALL PER MANUFACTURER'S SPECIFICATIONS), OVER SHEATHING PER STRUCTURAL. STUCCO SYSTEM TO BE APPROVED MANUFACTURER PER ES REPORT (ESR), OR CITY/ARCHITECT APPROVED EQUAL. PREPARE SUBSTRATE & INSTALL PER MANUFACTURER'S INSTRUCTIONS, DETAILS, AND RECOMMENDATIONS INCLUDING CONTROL JOINTS SPACING.
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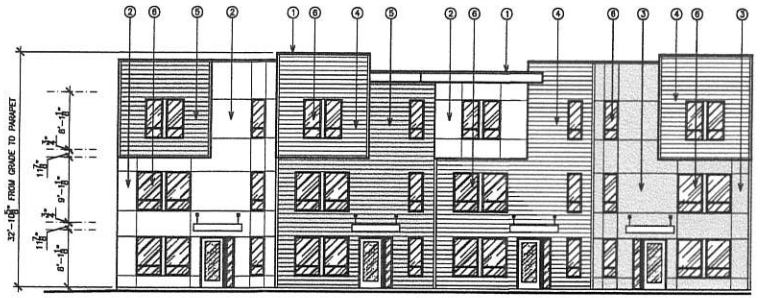
6. DBL. GLAZED VINYL SLIDING WINDOWS & PATIO DOORS, SEE DETAIL 1/A-301. CAULK ALL AROUND.
7. FINISH GRADE PER CIVIL DRAWINGS.

NOTE:MASTERSEAL AWB 685 FLUID APPLIED AIR BARRIER SYSTEM TO BE INSTALLED BEHIND ALL EXTERIOR FINISHES. INSTALL PER MANUFACTURER'S SPECIFICATIONS.



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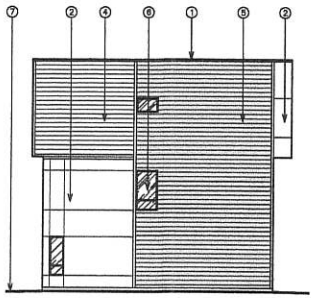

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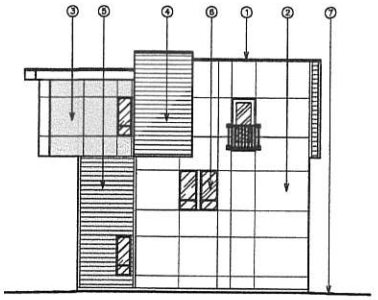
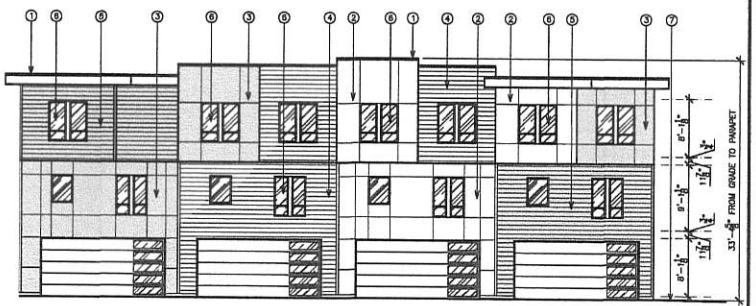


B A-201.3 LEFT ELEVATION
SCALE: 1/8" = 1'-0"



D A-201.3 REAR ELEVATION
SCALE: 1/8" = 1'-0"

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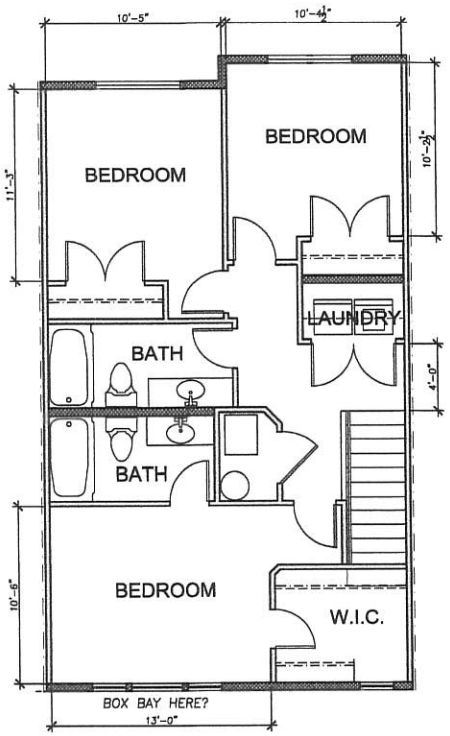
SALT LAKE CITY, UT 84124
ph 801/685-0669

FUJI TOWNHOMES
Murray, UT

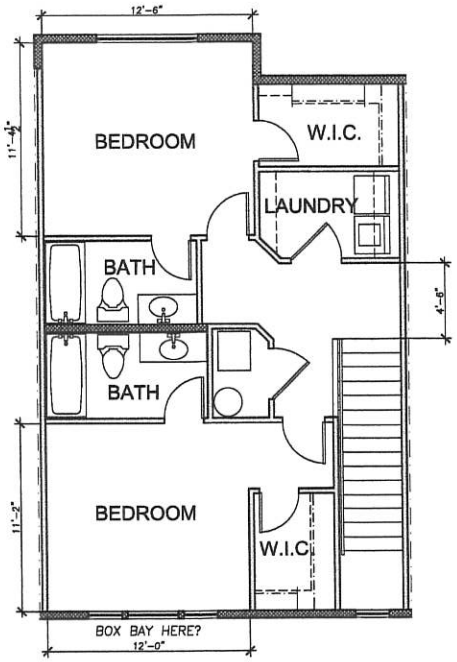
EXTERIOR ELEVATIONS
SOUTHEAST BUILDING

Dec. 22, 2022

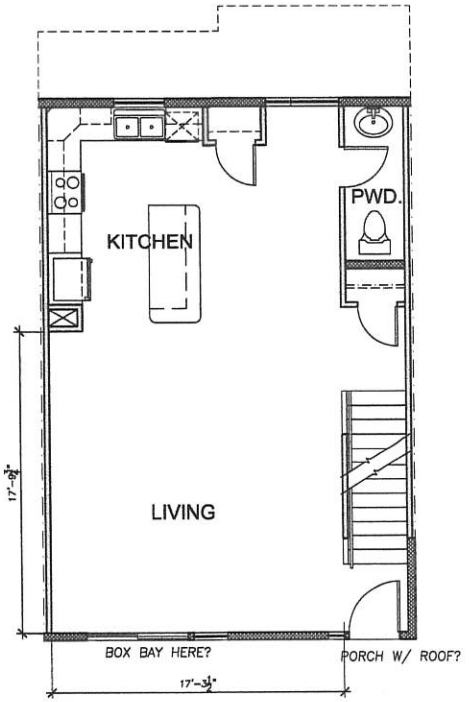
A-201.3



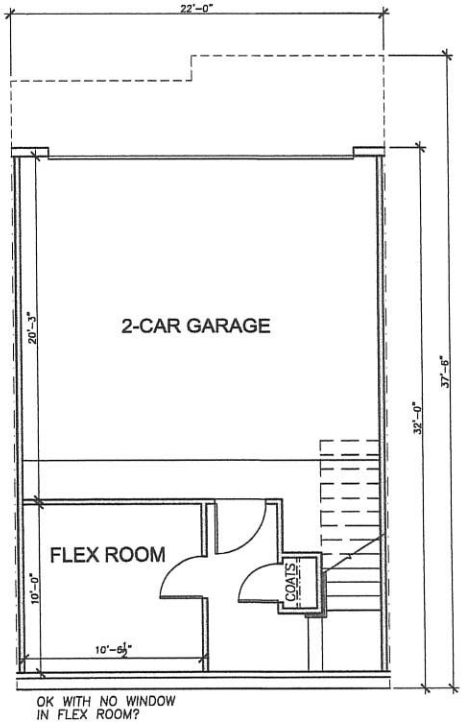
3 BEDROOM OPTION



2 BEDROOM OPTION



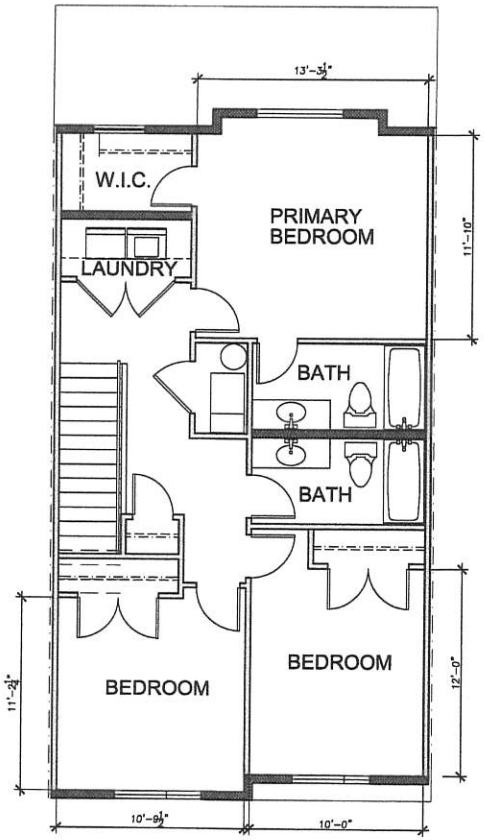
GARAGE & LIVING LEVEL



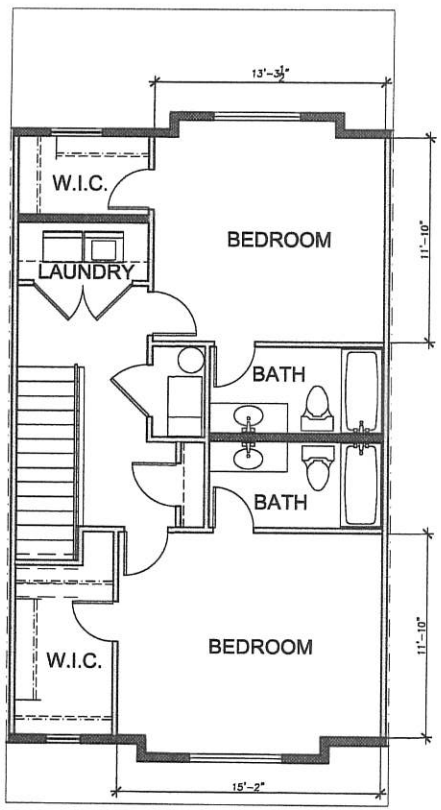
WALK-OUT BASEMENT LEVEL

2-BEDROOM NORTH UNIT AREA TABULATIONS	
2-STORY W/BASEMENT	UNIT AREA
GARAGE LEVEL	214 SQ. FT. (476 s.f. garage)
LIVING & KITCHEN LEVEL	704 SQ. FT.
BEDROOM LEVEL	809 SQ. FT.
TOTAL	1,727 SQ. FT.

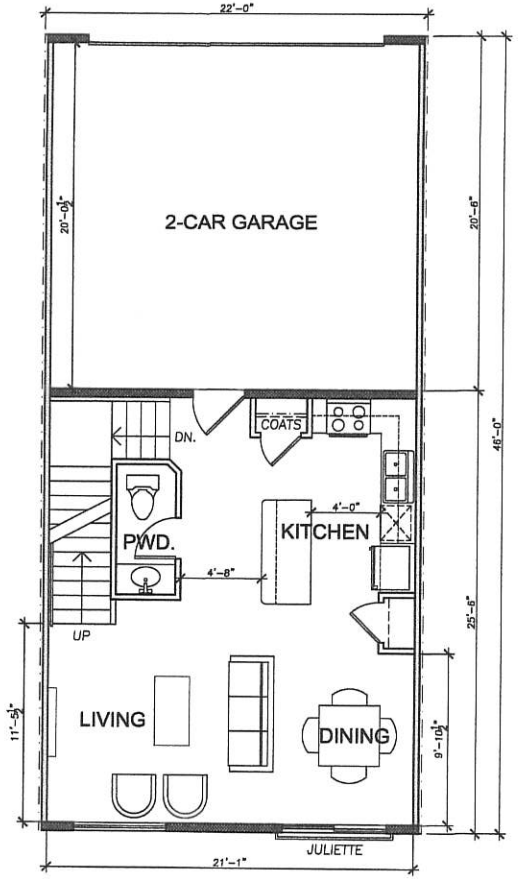
2-BEDROOM NORTH UNIT AREA TABULATIONS	
2-STORY W/BASEMENT	UNIT AREA
GARAGE LEVEL	214 SQ. FT. (476 s.f. garage)
LIVING & KITCHEN LEVEL	704 SQ. FT.
BEDROOM LEVEL	736 SQ. FT.
TOTAL	1,654 SQ. FT.



3 BEDROOM OPTION



2 BEDROOM OPTION



GARAGE & LIVING LEVEL

WALK-OUT BASEMENT LEVEL

3-BEDROOM SOUTH UNIT AREA TABULATIONS	
2-STORY W/BASEMENT	UNIT AREA
BASEMENT	321 SQ. FT.
GARAGE & LIVING LEVEL	561 SQ. FT. (451 s.f. garage)
BEDROOM LEVEL	860 SQ. FT.
TOTAL	1,742 SQ. FT.

2-BEDROOM SOUTH UNIT AREA TABULATIONS	
2-STORY W/BASEMENT	UNIT AREA
BASEMENT	321 SQ. FT.
GARAGE & LIVING LEVEL	561 SQ. FT. (451 s.f. garage)
BEDROOM LEVEL	805 SQ. FT.
TOTAL	1,687 SQ. FT.

WHEN RECORDED, MAIL TO:

_____
_____
_____
_____

RECIPROCAL EASEMENT AGREEMENT

THIS RECIPROCAL EASEMENT AGREEMENT (this "Agreement") is entered into this ____ day of _____, 20___ (the "Effective Date"), by and between APPLEGATE HOMEOWNERS ASSOCIATION, a Utah nonprofit corporation ("Association"), and _____, _____ ("Owner"). Association and Owner are sometimes referred to herein collectively as the "Parties" or individually as a "Party."

RECITALS

A. Association manages and maintains certain real property owned by its members located in Murray, Salt Lake County, Utah (the "Association Property"), more particularly described on Exhibit A, attached hereto and incorporated herein by this reference.

B. Owner owns certain real property located adjacent to the Association Property in Murray, Salt Lake County, Utah (the "Owner Property"), more particularly described on Exhibit B, attached hereto and incorporated herein by this reference.

C. The Parties desire to grant one another certain non-exclusive easements on, over, across, under and through portions of their respective property for the purposes set forth in this Agreement.

TERMS AND CONDITIONS

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and based upon the mutual promises and covenants set forth herein, the Parties agree as follows:

1. Grant of Easements.

1.1. Reciprocal Access Easement. Each Party, as Grantor, hereby grants and conveys to the other Party, as Grantee, a perpetual, non-exclusive easement (binding upon and to run with the lands of each party) on, over, and across roadways, sidewalks, and walkways (the "Access Improvements") located on the Association Property and the Owner Property, respectively, for the purpose of vehicular and pedestrian ingress and egress to and from the Association Property, the Owner Property, and a public right-of-way known as Murray Blvd.

1.2. Reciprocal Utility Easement. Each Party, as Grantor, hereby grants and conveys to the other Party, as Grantee, a perpetual, non-exclusive easement (binding upon and to run with the lands of each party) under and through those portions of the Association Property and the Owner Property, respectively, except where buildings and other major improvements are constructed or located or planned to be located, for the purposes of constructing, operating, maintaining, repairing, and replacing underground utilities and associated underground improvements (the "Utility Improvements").

1.3. Applegate Association Clubhouse and Pool Easement. Association hereby grants and conveys to Owner a perpetual, a non-exclusive easement (binding upon and to run with the lands of each party) on, over and across the Association Property for the purposes of: (i) vehicular and pedestrian ingress and egress to the Association's clubhouse and pool located on the Association Property (the "Clubhouse and Pool"), and (ii) use of the Clubhouse and Pool by individuals that own or occupy any portion of the Owner Property.

1.4. Fuji Association Amenity Easement. Owner hereby grants and conveys to the Association a perpetual, a non-exclusive easement (binding upon and to run with the lands of each party) on, over and across the Owner Property for the purposes of: (i) vehicular and pedestrian ingress and egress to the Owner's sports courts, tot lot/playground, and barbecue area amenities located on the Owner Property (the "Recreational Amenities"), and (ii) use of the Recreational Amenities by individuals that own or occupy any portion of the Association Property.

2. Construction of the Improvements. Each Party hereby agrees to construct and install the Utility Improvements for their benefit at their sole cost and expense. Each Party may, at their sole cost and expense, reconstruct, move or alter the Access Improvements located on their respective property so long as the reconstructed, moved or altered Access Improvements provide the other Party comparable access as set forth above in Section 1.1.

3. Reservation. The Parties hereby reserve the right to use any portion of their respective property for any use not inconsistent with the other Party's permitted use set forth above in Section 1.

4. Condition of Easement Area. The Parties accept the use of those areas set forth above in Section 1 (the "Easement Area") and all aspects thereof in "as is", "where is" condition, without warranties, either express or implied, "with all faults", including but not limited to both latent and patent defects, and the existence of hazardous materials, if any. The Parties hereby waive all warranties, express or implied, regarding the title, condition and use of the Easement Area.

5. Use of Easement Area. Except to the extent necessary (on a temporary basis) for reasonable construction, repair and maintenance, traffic regulation and control or to prevent a public dedication or the accrual of any rights to the public, no fence, gate, wall, barricade or other obstruction, whether temporary or permanent in nature, which limits or impairs the free and unimpeded use of the easements granted herein shall be constructed or erected, nor shall any Party obstruct or interfere with the use of such easements in any other manner. The Easement Area may be used solely for the limited purposes set forth herein by the Parties and their guests, invitees,

members, employees, agents, servants, tenants, and contractors for access by pedestrians, bicycles (and other forms of self-propelled motion), and motor vehicles to and from the Parties' properties.

6. **Maintenance**. Association hereby agrees, at Association's sole cost and expense, to maintain, inspect and repair the portion of the Easement Area located on the Association Property and the Utility Improvements that benefit Association located on the Owner Property in good order and condition. Owner hereby agrees, at Owner' sole cost and expense, to maintain, inspect and repair the portion of the Easement Area located on the Owner Property and the Utility Improvements that benefit Owner located on the Association Property in good order and condition. Notwithstanding the foregoing, if either Party fails to meet its maintenance obligations set forth in this Section 6, the other Party may perform the necessary maintenance and repairs to the Easement Area and Utility Improvements. The non-performing Party shall reimburse the other Party for all costs and expenses incurred in maintaining and repairing the Easement Area and Utility Improvements within sixty (60) days of receiving written notice thereof. In addition, Owner shall pay to Association a monthly fee for its proportionate share of the actual costs and expenses that Association incurs to maintain and repair the Clubhouse and Pool, which amount shall be calculated as a fraction, the numerator of which is the number of residential units located on the Owner Property (beginning at the time Owner receives a certificate of occupancy for each residential unit) and the denominator of which is the total number of residential units located on the Owner Property and the Association Property.

7. **Liens**. Each Party performing, or causing to be performed, any work with respect to the Easement Area (the "Performing Party") shall keep the Easement Area and the other Party's property free from any liens arising out of any work performed, materials furnished, or obligations incurred by or for the Performing Party.

8. **Compliance with Laws**. The Parties will comply with all present or future laws, statutes, codes, acts, ordinances, rules, regulations, orders, judgments, decrees, injunctions, rules, regulations, permits, licenses, authorizations, directions and requirements of and agreements with all governments, departments, commissions, boards, courts, authorities, agencies, officials and officers, foreseen or unforeseen, ordinary or extraordinary, including, without limitation, any building, zoning and land use laws.

9. **Indemnification**. The Parties and their successors and assigns hereby agree to indemnify, defend and hold each other harmless from and against any and all liens, encumbrances, costs, demands, claims, judgments, and/or damage caused by or arising out of: (i) the acts and omissions of such Party and their agents, servants, employees, and/or contractors; (ii) the use of the Easement Area, Access Improvements, and the Utility Improvements by such Party, their agents, servants, employees, or contractors; and (iii) any work performed on the Easement Area, Access Improvements, and the Utility Improvements by such Party or their successors or assigns, and their agents, servants, employees, consultants and/or contractors. The terms and conditions of this provision shall remain effective, notwithstanding the expiration or termination of this Agreement.

10. **Insurance.** Each of the Parties shall obtain and maintain a policy of general commercial liability insurance sufficient to insure their respective interests against claims for

personal injury, bodily injury, death, and property damage occurring on, in or about the Easement Area. Each Party shall name the other Party as an additional insured under their respective general commercial liability insurance. Each Party is responsible for advising the other Party of any change in ownership of their respective properties affected by the Easement Area so that the proper owner can be included as an additional insured under the respective general commercial liability insurance.

11. **Notices**. Any notice required or desired to be given under this Agreement will be considered given: (i) when delivered in person to the recipient named below, (ii) when delivered by a reputable overnight delivery service, or (iii) three (3) days after deposit in the United States mail in a sealed envelope or container, either registered or certified mail, return receipt requested, postage prepaid, addressed by name to the person and party intended. All notices shall be given at the following addresses:

If to Association: _____
_____
_____
_____

If to Owner: _____
_____
_____
_____

Either party may designate a different individual or address for notices, by giving written notice thereof in the manner described above.

12. **No Public Use/Dedication**. The Easement Area is and shall at all times remain the private property of Association and Owner, respectively. The public shall not acquire nor be entitled to claim or assert any rights to the Easement Area.

13. **Rights and Obligations Binding Upon Successors and Assigns.** Each and every obligation and right hereunder runs with the respective lands of Association and of Owner and such obligations and rights herein are binding upon and run to the benefit of the respective successors and assigns of Association and of Owner.

14. **Miscellaneous**. This Agreement constitutes the entire agreement between the Parties hereto pertaining to the subject matter hereof and all prior and contemporaneous agreements, representations and understandings of the Parties hereto, oral or written, are hereby superseded and merged herein. No supplement, modification or amendment of this Agreement shall be binding unless in writing and executed by the Parties hereto. This Agreement shall be construed in accordance with and governed by the laws of the State of Utah. No waiver of any of the provisions of this Agreement shall be deemed or shall constitute a waiver of any other provisions, whether or not similar, nor shall any waiver be a continuing waiver. No waiver shall be binding unless executed in writing by the Party making the waiver. The headings of this Agreement are for purposes of reference only and shall not limit or define the meaning of the

provisions hereof. The Recitals set forth above are incorporated into this Agreement by reference. If any provision of this Agreement or the application thereof to any person, place, or circumstance, shall be held by a court of competent jurisdiction to be invalid, unenforceable, or void, the remainder of this Agreement and such provisions as applied to other persons, places, and circumstances shall remain in full force and effect. This Agreement is the result of negotiations among the Parties, none of whom has acted under any duress or compulsion, whether legal, economic or otherwise. Accordingly, the terms and provisions hereof shall be construed in accordance with their usual and customary meanings. Each Party hereby waives the application of any rule of law which otherwise would be applicable in connection with the construction of this Agreement that ambiguous or conflicting terms or provisions should be construed against the Party who (or whose attorney) prepared the executed this Agreement or any earlier draft of the same. As used herein, all words in any gender shall be deemed to include the masculine, feminine, or neuter gender, all singular words shall include the plural, and all plural words shall include the singular, as the context may require. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute but one and the same instrument.

[SIGNATURES AND ACKNOWLEDGEMENTS TO FOLLOW]

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the Effective Date.

ASSOCIATION:

_____,
_____

[EXHIBIT - NOT FOR EXECUTION]
By: _____
Name (Print): _____
Its: _____

OWNER:

_____,
_____

[EXHIBIT - NOT FOR EXECUTION]
By: _____
Name (Print): _____
Its: _____

[ADD ACKNOWLEDGEMENTS]

[INSERT APPLICABLE LEGAL DESCRIPTION OF ASSOCIATION PROPERTY AS EXHIBIT A AND LEGAL DESCRIPTION OF OWNER PROPERTY AS EXHIBIT B]

After Recording Return To:
P.O. Box 71565
Salt Lake City, UT 84171

AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND BY-LAWS FOR APPLEGATE CONDOMINIUMS, PHASE ONE

This Amendment to the Declaration of Covenants, Conditions, Restrictions and By-Laws for Applegate Condominiums, Phase One ("Declaration"), is executed on the date set forth below by The Applegate Homeowners Association, a Utah nonprofit corporation ("Association").

RECITALS

A. Real property in Salt Lake County, Utah known as Applegate Condominiums, Phase One (the "Project"), was subjected to covenants, conditions and restrictions pursuant to the Declaration, which was recorded in the office of the County Recorder of Salt Lake County, State of Utah on or about July 3, 1973 as Entry No. 2551664, In Book 3364, at Page 196 of the official records – recorded simultaneously with the Declaration was appendix "C" to said Declaration, consisting of the By-Laws of Applegate Condominiums, Phase One (the "Original By-Laws");

B. The Declaration was amended by a written instrument entitled Amendment to Declaration of Covenants, Conditions, Restrictions and By-laws for Applegate Condominiums on August 2, 1973 as Entry No. 2558801 in Book 3386 at Page 21 of the official records of the County Recorder of Salt Lake County, Utah;

C. On or about January 6, 2004, a document entitled "By-Laws of Applegate Home Owners Association, Inc., A Utah not-for-profit corporation" (the "2004 By-Laws") was recorded on the official records of the County Recorder of Salt Lake County, Utah as Entry No. 8941472, Book 8931, Pages 1600-1613;

D. The Declaration was again amended by a written instrument entitled Amendment to Declaration of Covenants, Conditions and Restrictions for Applegate Condominiums on April 9, 2004 as Entry 9029411 in Book 8971 at Pages 578-586 of the official records of the County Recorder of Salt Lake County, Utah;

E. Unless otherwise expressly stated herein, all capitalized terms in this amendment shall have the same meaning as given to them in the Declaration;

F. This amendment shall be binding against the property described in EXHIBIT A and the Declaration and any annexation or supplement thereto;

G. The first purpose of this Amendment is to exclude and remove a portion of the real property described in EXHIBIT A from the provisions of the Declaration, any amendments to the Declaration, as well as from the provisions of both the Original By-Laws and 2004 By-

Laws - the real property to be excluded and removed as described above is more particularly described on EXHIBIT B to this Amendment (hereinafter, the "Excess Common Area");

H. The second purpose of this Amendment is to grant the management committee (as such term is defined in Article I, Section 2(N) of the Declaration) the power to execute, on behalf of the Association, a purchase and sale agreement to sell the Excess Common Area and to execute any other documentation reasonably necessary or convenient to such sale and the development of the Excess Common Area, such documents including but not being limited to amendments to the Declaration, amendments to any and all applicable plats, and easements;

I. The President and Secretary certify that condominium unit owners representing two-thirds of the undivided interests in the common area and facilities affirmatively approved this Amendment, as required by Article 25 of the Declaration;

NOW, THEREFORE, the Association, by and through the management committee, hereby amends the Declaration as follows:

The Declaration shall be amended to add the following new Articles, which shall read as follows:

33. **Power of Management Committee to Sell Excess Common Area.**

Anything herein to the contrary notwithstanding, the management committee shall have the power to sub-divide common areas, execute purchase and sales contracts, execute deeds, and amend or cause to be amended the Map (or any amendments thereto) as may be necessary or convenient to a sale of the real property described in Appendix E (the "Excess Common Area"). The management committee shall also have the power to record or cause to be recorded such documents. The management committee shall further have the power to grant, execute, and record or cause to be recorded such easements as may be necessary or convenient to the sale of said Excess Common Area, including but not limited to easements encumbering the Excess Common Area benefitting, in whole or in part, the Association or its members. The powers described in this Article shall only apply to a sale of the Excess Common Area, and not in relation to any other sale or portion of the common areas or facilities.

34. **Removal of Excess Common Area from Declaration**

Anything herein to the contrary notwithstanding, upon the management committee's execution and recordation of a deed conveying the Excess Common Area, such Excess Common Area shall be excluded and unencumbered from this Declaration.

Appendix D is hereby added to the Declaration, and shall consist of Exhibit B to this Amendment.

[Signatures and Acknowledgement to Follow]

IN WITNESS WHEREOF, the Association, by and through its President and Secretary, has executed this Amendment to the Declaration as of the ___ day of _____, 2020.

THE APPLEGATE HOMEOWNERS ASSOCIATION,
A UTAH NONPROFIT CORPORATION

By: _____
Name: _____
Its: President

By: _____
Name: _____
Its: Secretary

STATE OF UTAH)
:ss
County of Salt Lake)

On the __ day of _____, 2020, personally appeared _____ _____and _____who, being first duly sworn, did that say that they are the President and Secretary of the Association and that said instrument was signed and sealed in behalf of said Association by authority of its management committee; and each of them acknowledged said instrument to be their voluntary act and deed.

_____
Notary Public for Utah

EXHIBIT A

LEGAL DESCRIPTION

The land described in the foregoing document is located in Salt Lake County, Utah and is described more particularly as follows:

Lot No.	Parcel No.
AREA	21-11-478-001-0000
100	21-11-478-002-0000
101	21-11-478-003-0000
102	21-11-478-004-0000
103	21-11-478-005-0000
104	21-11-478-006-0000
105	21-11-478-007-0000
106	21-11-478-008-0000
107	21-11-478-009-0000
108	21-11-478-010-0000
109	21-11-478-011-0000
110	21-11-478-012-0000
111	21-11-478-013-0000
112	21-11-478-014-0000
113	21-11-478-015-0000
114	21-11-478-016-0000
115	21-11-478-017-0000
116	21-11-478-018-0000
117	21-11-478-019-0000
118	21-11-478-020-0000
119	21-11-478-021-0000
120	21-11-478-022-0000
121	21-11-478-023-0000
122	21-11-478-024-0000
123	21-11-478-025-0000
124	21-11-478-026-0000
125	21-11-478-027-0000
126	21-11-478-028-0000
127	21-11-478-029-0000
128	21-11-478-030-0000
129	21-11-478-031-0000
130	21-11-478-032-0000
131	21-11-478-033-0000
132	21-11-478-034-0000
133	21-11-478-035-0000
134	21-11-478-036-0000
135	21-11-478-037-0000
136	21-11-478-038-0000
137	21-11-478-039-0000
138	21-11-478-040-0000

Lot No.	Parcel No.
139	21-11-478-041-0000
140	21-11-478-042-0000
141	21-11-478-043-0000
142	21-11-478-044-0000
143	21-11-478-045-0000
144	21-11-478-046-0000
145	21-11-478-047-0000
146	21-11-478-048-0000
147	21-11-478-049-0000
148	21-11-478-050-0000
149	21-11-478-051-0000
150	21-11-478-052-0000
151	21-11-478-053-0000
152	21-11-478-054-0000
153	21-11-478-055-0000
154	21-11-478-056-0000
155	21-11-478-057-0000
156	21-11-478-058-0000
157	21-11-478-059-0000
158	21-11-478-060-0000
159	21-11-478-061-0000
160	21-11-478-062-0000
161	21-11-478-063-0000
162	21-11-478-064-0000
163	21-11-478-065-0000
164	21-11-478-066-0000
165	21-11-478-067-0000
166	21-11-478-068-0000
167	21-11-478-069-0000
168	21-11-478-070-0000
169	21-11-478-071-0000
170	21-11-478-072-0000
171	21-11-478-073-0000
172	21-11-478-074-0000
173	21-11-478-075-0000
174	21-11-478-076-0000
175	21-11-478-077-0000
176	21-11-478-078-0000
177	21-11-478-079-0000
178	21-11-478-080-0000

Lot No.	Parcel No.
179	21-11-478-081-0000
180	21-11-478-082-0000
181	21-11-478-083-0000
182	21-11-478-084-0000
183	21-11-478-085-0000
184	21-11-478-086-0000
185	21-11-478-087-0000
186	21-11-478-088-0000
187	21-11-478-089-0000
188	21-11-478-090-0000
189	21-11-478-091-0000
190	21-11-478-092-0000
191	21-11-478-093-0000
192	21-11-478-094-0000
193	21-11-478-095-0000
194	21-11-478-096-0000
195	21-11-478-097-0000
196	21-11-478-098-0000
197	21-11-478-099-0000
198	21-11-478-100-0000
199	21-11-478-101-0000
200	21-11-478-102-0000
201	21-11-478-103-0000
202	21-11-478-104-0000
203	21-11-478-105-0000
204	21-11-478-106-0000
205	21-11-478-107-0000
206	21-11-478-108-0000
207	21-11-478-109-0000
208	21-11-478-110-0000
209	21-11-478-111-0000
210	21-11-478-112-0000
211	21-11-478-113-0000
212	21-11-478-114-0000
213	21-11-478-115-0000
214	21-11-478-116-0000
215	21-11-478-117-0000
216	21-11-478-118-0000
217	21-11-478-119-0000
218	21-11-478-120-0000

Lot No.	Parcel No.
219	21-11-478-121-0000
220	21-11-478-122-0000
221	21-11-478-123-0000
222	21-11-478-124-0000
223	21-11-478-125-0000
224	21-11-478-126-0000
225	21-11-478-127-0000
226	21-11-478-128-0000
227	21-11-478-129-0000
228	21-11-478-130-0000
229	21-11-478-131-0000
230	21-11-478-132-0000
231	21-11-478-133-0000
232	21-11-478-134-0000
233	21-11-478-135-0000
234	21-11-478-136-0000
235	21-11-478-137-0000
236	21-11-478-138-0000
237	21-11-478-139-0000
238	21-11-478-140-0000
239	21-11-478-141-0000
240	21-11-478-142-0000
241	21-11-478-143-0000
242	21-11-478-144-0000
243	21-11-478-145-0000
244	21-11-478-146-0000
245	21-11-478-147-0000
246	21-11-478-148-0000
247	21-11-478-149-0000
248	21-11-478-150-0000
249	21-11-478-151-0000
250	21-11-478-152-0000
251	21-11-478-153-0000
252	21-11-478-154-0000
253	21-11-478-155-0000
254	21-11-478-156-0000
255	21-11-478-157-0000
256	21-11-478-158-0000
257	21-11-478-159-0000
258	21-11-478-160-0000
259	21-11-478-161-0000
260	21-11-478-162-0000
261	21-11-478-163-0000
262	21-11-478-164-0000
263	21-11-478-165-0000
264	21-11-478-166-0000
265	21-11-478-167-0000
266	21-11-478-168-0000
267	21-11-478-169-0000
268	21-11-478-170-0000
269	21-11-478-171-0000
270	21-11-478-172-0000
271	21-11-478-173-0000

EXHIBIT B

[Legal Description of the Excess Common Area]

Beginning at a point that is located on the bounds of Clover Crest #3 Subdivision and Applegate Condominiums, said point lies North 0°14'20" West, 2,640.32 feet (basis of bearing) to the Southeast Corner of Section 11, and North 0°02'02" West, 1,352.38 feet and West, 785.12 feet from the East Quarter Corner of Section 14 , Township 2 South, Range 1 West, Salt Lake Basin Meridian. and running Beginning at a point that is located, Thence South 06° 59' 49" West a distance of 203.15 feet, Thence North 90° 00' 00" West a distance of 112.00 feet, Thence South 00° 00' 00" West a distance of 102.00 feet, Thence South 46° 00' 00" East a distance of 73.00 feet, Thence North 90° 00' 00" East a distance of 74.00 feet, Thence South 59° 00' 00" East a distance of 37.06 feet to the beginning of a non-tangential curve, Said curve bears to the left through an angle of 42° 07' 50", having a radius of 130.78 feet with an arc distance of 96.16 feet, Thence South 14° 27' 43" East a distance of 162.46 feet, Thence South 25° 17' 51" West a distance of 65.02 feet to the North bounds of Majestic Village Plat E Subdivision, Thence North 65° 17' 37" West a distance of 46.72 feet, Thence North 65° 02' 02" West a distance of 67.60 feet to the beginning of a curve, Said curve bears to the right through an angle of 28° 24' 40", having a radius of 560.00 feet with an arc distance of 277.69 feet, non-tangential line. Thence South 59° 57' 58" West a distance of 0.83 feet to the North bounds of Majestic Village Plat F Subdivision said point also being the beginning of a non-tangential curve, Said curve bears to the right through an angle of 11° 26' 34", having a radius of 560.00 feet with an arc distance of 111.84 feet, Thence North 25° 02' 02" West a distance of 150.00 feet to the beginning of a curve, Said curve bears to the left through 40° 26' 33", having a radius of 130.00 feet with an arc distance of 91.76 feet, Said curve bears to the left through an angle of 47° 46' 32", having a radius of 230.00 feet with an arc distance of 191.78 feet, non-tangential line. Thence North 23° 06' 27" West a distance of 71.37 feet to the bounds of said Clover Crest #3 Subdivision , Thence North 66° 53' 33" East a distance of 314.94 feet, Thence North 50° 00' 00" East a distance of 41.58 feet, Thence South 36° 36' 10" East a distance of 72.41 feet to the beginning of a curve, Said curve bears to the left through an angle of 54° 52' 07", having a radius of 150.00 feet with an arc distance of 143.65 feet, Thence North 88° 31' 43" East a distance of 85.85 feet to the beginning of a curve, Said curve bears to the left through an angle of 34° 48' 15", having a radius of 100.00 feet with an arc distance of 60.74 feet, Thence North 53° 43' 28" East a distance of 76.01 feet to the point of beginning.

Containing 22,621 Square Feet or 5.11 Acres

FEHR PEERS

Applegate Expansion Traffic Impact Study

MEMORANDUM

Date: May 29, 2019

To: Quinn Millet, Millet Appraisal Services

From: Christopher Bender, EIT, Fehr & Peers
Seishi Yamagata, PE, Fehr & Peers

Subject: Applegate Expansion Traffic Impact Study

UT19-2157

EXECUTIVE SUMMARY

The purpose of this study is to determine the potential impacts to traffic conditions due to the proposed Applegate Expansion in Murray, Utah located northwest of 5300 W & Murray Boulevard on Applegate Drive. Under current conditions, the study intersections operate at acceptable delays and Levels of Service (LOS), with the exception of the westbound traffic at the Applegate Drive & Murray Boulevard intersection, which currently operates at LOS E and F in the AM and PM peak hours, respectively. This is caused by heavy through-movement volumes on Murray Boulevard which increase the delay for the side-street stop controlled left-turning vehicles. However, the intersection has "keep clear" striping to prevent the southbound queues at 5300 S & Murray Boulevard from blocking the intersection at Applegate Drive. During data collection, the southbound queue at 5300 S & Murray Boulevard was observed to occasionally extend back to Applegate drive, but when that would happen, the southbound drivers on Murray Boulevard allowed the side-street vehicles to turn onto Murray Boulevard with minimal delay. This is not captured in Synchro's analysis methodology, so the reported delay is likely overstated. Furthermore, the east and westbound queue lengths are contained on the minor street driveways.

With project-generated traffic from the proposed Applegate Expansion, all study intersections continue to operate with the same LOS as in existing conditions with minor increases in delay to the study intersections. Therefore, no mitigations are recommended for existing plus project conditions. A summary of the delay and LOS for each condition is shown in **Table ES-1**.

TABLE ES-1 LEVEL OF SERVICE RESULTS SUMMARY

	Intersection (Control)	Period	Existing 2019	Existing Plus Project
			LOS & Delay (Sec/Veh)	LOS & Delay (Sec/Veh)
1	Murray Boulevard & 5300 South (Signal)[1]	AM	31 / C	31 / C
		PM	28 / C	29 / C
2	Murray Boulevard & Applegate Drive (Side Street Stop)[2]	AM	36 / E	38 / E
		PM	70 / F	83 / F
3	College Drive & 5300 South (Signal)[1]	AM	13 / B	13 / B
		PM	29 / C	29 / C

1. Signalized intersections: overall intersection LOS and delay reported.
2. Unsignalized intersections: worst movement LOS and delay reported.

Source: Fehr & Peers, 2019

INTRODUCTION

The purpose of this study is to determine the potential impacts to traffic conditions due to the completion of the proposed Applegate Expansion to be located northwest of 5300 S & Murray Boulevard on Applegate Drive. The proposed expansion is composed of 48 total townhomes and will use the development's existing access on Applegate Drive & Murray Boulevard. **Figure 1** shows the project site plan. This memorandum will discuss:

- The existing conditions in the study area.
- Intersection conditions with additional traffic from the proposed Applegate Expansion.

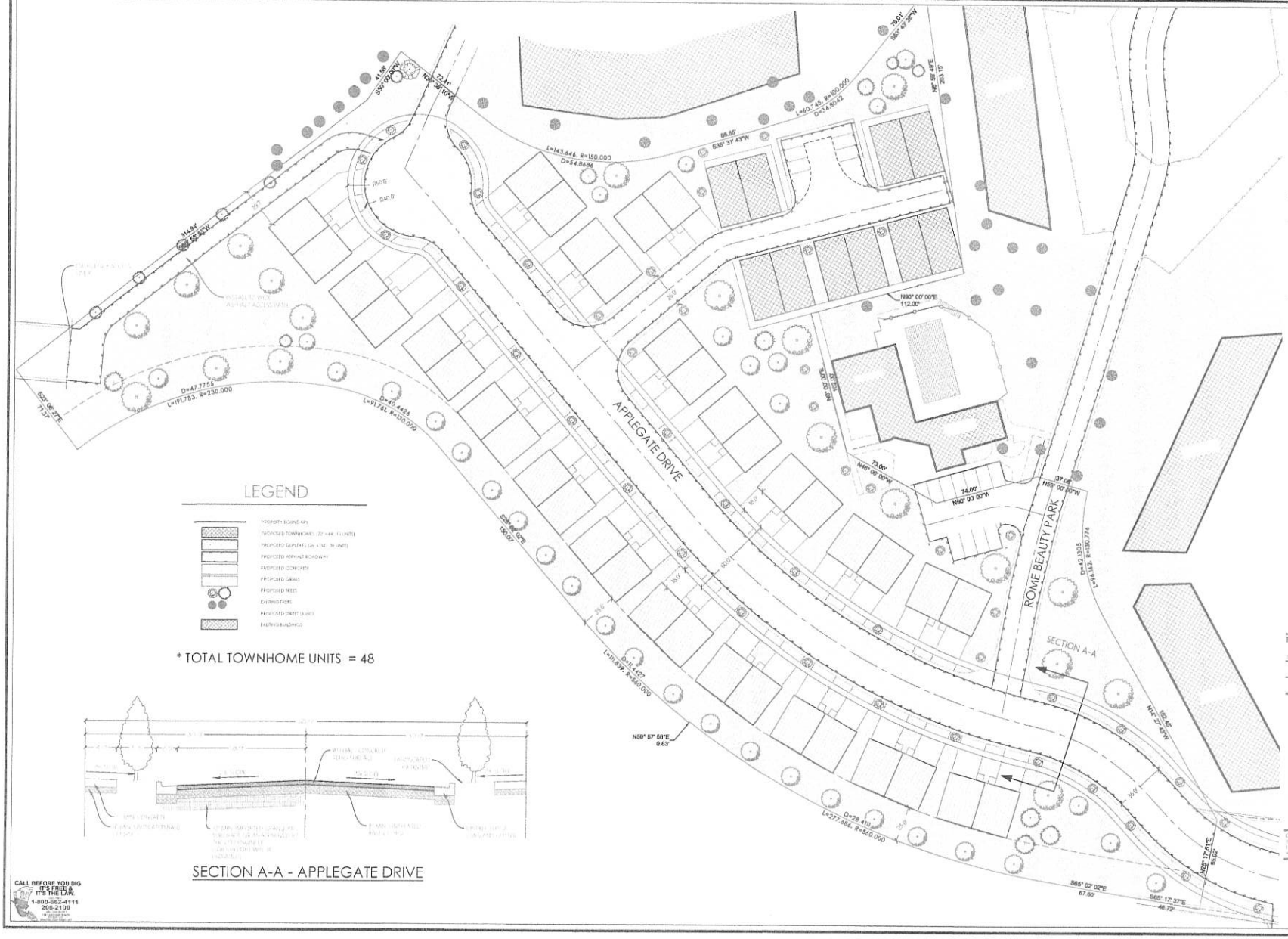
STUDY AREA

This study analyzes the traffic operations at the following study intersections:

1. 5300 S & Murray Boulevard
2. Applegate Drive & Murray Boulevard
3. 5300 S & College Drive

DATA COLLECTION

Traffic counts at the study intersections were collected to establish a baseline of existing conditions and operations for the area. At the study intersections, AM peak period traffic counts were recorded from 7:00 AM to 9:00 AM and PM peak period traffic counts were recorded from 4:00 PM to 6:00 PM on Wednesday, May 15th, 2019. The AM and PM peak hours were 7:30-8:30 AM and 4:45-5:45 PM, respectively.



DRAWING TITLE

SITE PLAN

CLIENT

QUINN MILLET

COMPLETION STATUS

PRELIMINARY PLANS

PROJECT

APPLEGATE CONDOMINIUMS
MURRAY, UT

GENERAL

Scale (24" x 36") 1 in. = 30 FT.

REVISIONS

NO. #	DESCRIPTION	DATE

WEBER ENGINEERING COLLECTIVE

CIVIL· PLANNING· SURVEYING

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ARCHITECT	
W. [illegible]	
DATE	01/07/19
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CHECKED	
APPROVED	

C-01

ANALYSIS METHODOLOGY

Level of Service (LOS) is a term that describes the operating performance of an intersection or roadway. LOS is measured quantitatively and reported on a scale from A to F, with A representing the best performance and F the worst. **Table 1** provides a brief description of each LOS letter designation and an accompanying average delay per vehicle for unsignalized intersections. The Highway Capacity Manual 6th Edition (HCM 6) methodology was used in this study to remain consistent with "state-of-the-practice" professional standards.

TABLE 1 LEVEL OF SERVICE DESCRIPTIONS

LOS	Description	Signalized Intersections	Unsignalized Intersections
		Avg. Delay (sec/veh)[1]	Avg. Delay (sec/veh)[2]
A	*Free Flow / Insignificant Delay* Extremely favorable progression. Individual users are virtually unaffected by others in the traffic stream.	< 10.0	< 10.0
B	*Stable Operations / Minimum Delays* Good progression. The presence of other users in the traffic stream becomes noticeable.	> 10.0 to 20.0	> 10.0 to 15.0
C	*Stable Operations / Acceptable Delays* Fair progression. The operation of individual users is affected by interactions with others in the traffic stream	> 20.0 to 35.0	> 15.0 to 25.0
D	*Approaching Unstable Flows / Tolerable Delays* Marginal progression. Operating conditions are noticeably more constrained.	> 35.0 to 55.0	> 25.0 to 35.0
E	*Unstable Operations / Significant Delays Can Occur* Poor progression. Operating conditions are at or near capacity.	> 55.0 to 80.0	> 35.0 to 50.0
F	*Forced, Unpredictable Flows / Excessive Delays* Unacceptable progression with forced or breakdown of operating conditions.	> 80.0	> 50.0

1. Overall intersection LOS and average delay (seconds/vehicle) for all approaches.
2. Worst approach LOS and delay (seconds/vehicle) only.

Source: Fehr & Peers descriptions, based on *Highway Capacity Manual 6th Edition.*

EXISTING CONDITIONS

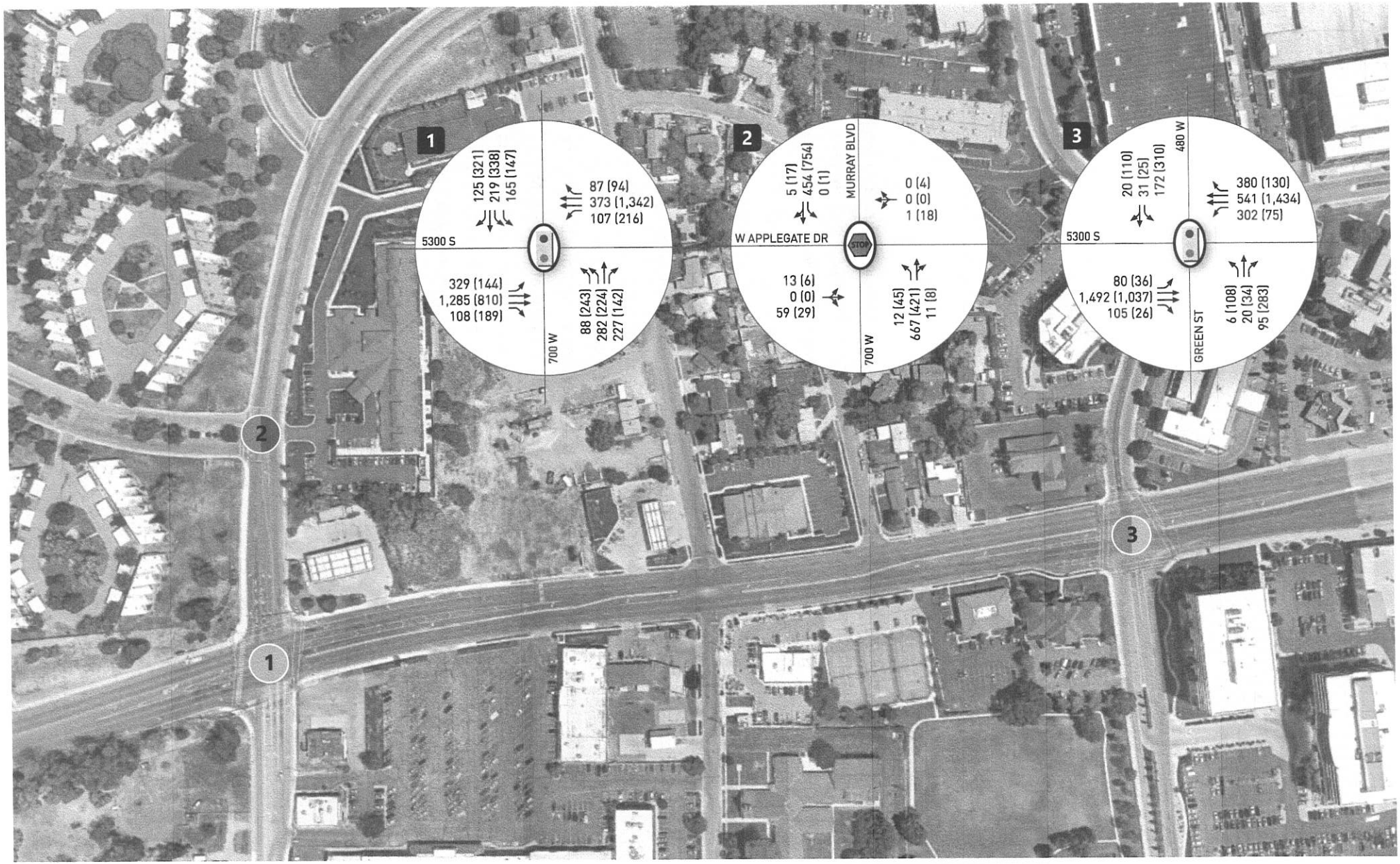
PURPOSE

The purpose of the existing (2019) conditions analysis is to study the intersections during the peak travel periods of the day under existing traffic and geometric conditions. Through this analysis, existing traffic operational deficiencies can be identified.

LEVEL OF SERVICE ANALYSIS

Existing AM and PM peak hour volumes as counted for this study are shown in **Figure 2**. Using Synchro software and the HCM 6 delay thresholds introduced above, the existing AM and PM peak hour LOS were computed for each study intersection (see **Appendix A** for detailed LOS reports). The results of this analysis are reported in **Table 2**.

As shown in **Table 2**, the study intersections at 5300 S & Murray Boulevard and at 5300 S and College Drive operate at acceptable delays and LOS (LOS D or better). The intersection at Applegate Drive & Murray Boulevard operates at LOS E and F in the AM and PM peak hours, respectively. This is caused by heavy through-movement volumes on Murray Boulevard which increase the delay for the side-street stop controlled left-turning vehicles. However, the intersection has "keep clear" striping to prevent the southbound queues at 5300 S & Murray Boulevard from blocking the intersection at Applegate Drive. During data collection, the southbound queue at 5300 S & Murray Boulevard was observed to occasionally extend back to Applegate drive, but when that would happen, the southbound drivers on Murray Boulevard allowed the side-street vehicles to turn onto Murray Boulevard with minimal delay. This is not captured in Synchro's analysis methodology, so the reported delay is likely overstated. Furthermore, the east and westbound queue lengths are contained on the minor street driveways.



Applegate Expansion Traffic Impact Study

LEGEND

Level of Service A B C D E F AM PM

AM (PM) Traffic Volumes XX (YY)

FEHR PEERS

Figure 2

Existing Conditions

TABLE 2 EXISTING CONDITIONS PEAK HOUR LEVEL OF SERVICE

Intersection				Worst Movement[1]			Overall Intersection	
ID	Location	Period	Control	Movement[3]	Delay (sec/veh)	LOS	Avg. Delay (sec/veh)[2]	LOS
1	Murray Boulevard & 5300 South (Signal)	AM	Signal	-	-	-	31	C
		PM		-	-	-	28	C
2	Murray Boulevard & Applegate Drive (Side Street Stop)	AM	EB/WB Stop	WB LT	36	E	< 5	A
		PM		WB LT	70	F	< 5	A
3	College Drive & 5300 South (Signal)	AM	Signal	-	-	-	13	B
		PM		-	-	-	29	C

1. This represents the worst movement LOS and delay (seconds/vehicle) and is only reported for unsignalized intersections.
2. This represents the overall intersection LOS and delay (seconds/vehicle).
3. NB=Northbound, SB=Southbound, EB=Eastbound, WB=Westbound, LT=Left-turn, RT=Right-turn, and TH=Through

Source: Fehr & Peers 2019.

PROJECT CONDITIONS

PURPOSE

The project conditions analysis explains the type and intensity of the proposed development in the study area. This analysis provides the basis for trip generation, distribution, and assignment of project trips to the surrounding study intersections defined in the Introduction.

PROPOSED DEVELOPMENT

The proposed Applegate Expansion will be located on Applegate Drive just northwest of the intersection at northwest of 5300 W & Murray Boulevard. The proposed expansion is composed of 48 total townhomes and will use the development's existing access on Applegate Drive & Murray Boulevard.

TRIP GENERATION

Trip generation for the project was computed using trip generation rates published in the Institute of Transportation Engineers (ITE) Trip Generation, 10th Edition, 2017. According to the ITE manual, the townhomes being built as part of this expansion classified as Multifamily Housing (Low-Rise), so the rates described for ITE Land use code 220 were used for trip generation. **Table 3** shows the AM and PM peak hour trip generation for the proposed Applegate Expansion.

TABLE 3 APPLEGATE EXPANSION TRIP GENERATION

Land Use[1]	Number of Units	Unit Type	AM Peak Hour Trip Generation[2]	% Entering[3]	% Exiting[3]	Trips Entering	Trips Exiting	**New AM Peak Hour Trips**
Multifamily Housing (220)	48	Dwelling Unit	24	23%	77%	5	19	**24**
Net Weekday AM Peak Hour Trips						**5**	**19**	**24**
Land Use[1]	Number of Units	Unit Type	PM Peak Hour Trip Generation[2]	% Entering[3]	% Exiting[3]	Trips Entering	Trips Exiting	**New PM Peak Hour Trips**
Multifamily Housing (220)	48	Dwelling Unit	31	63%	37%	19	12	**31**
Net Weekday PM Peak Hour Trips						**19**	**12**	**31**

1. (XXX) Indicates ITE Land Use Code. Land Use Code from the Institute of Transportation Engineers - 10th Edition Trip Generation Manual (ITE Manual)
2. Traffic Generated by the development according to trip generation rates provided in the ITE Manual
3. Percentage of trips Entering and Exiting the development according to the ITE Manual.

SOURCE: Fehr & Peers, 2019

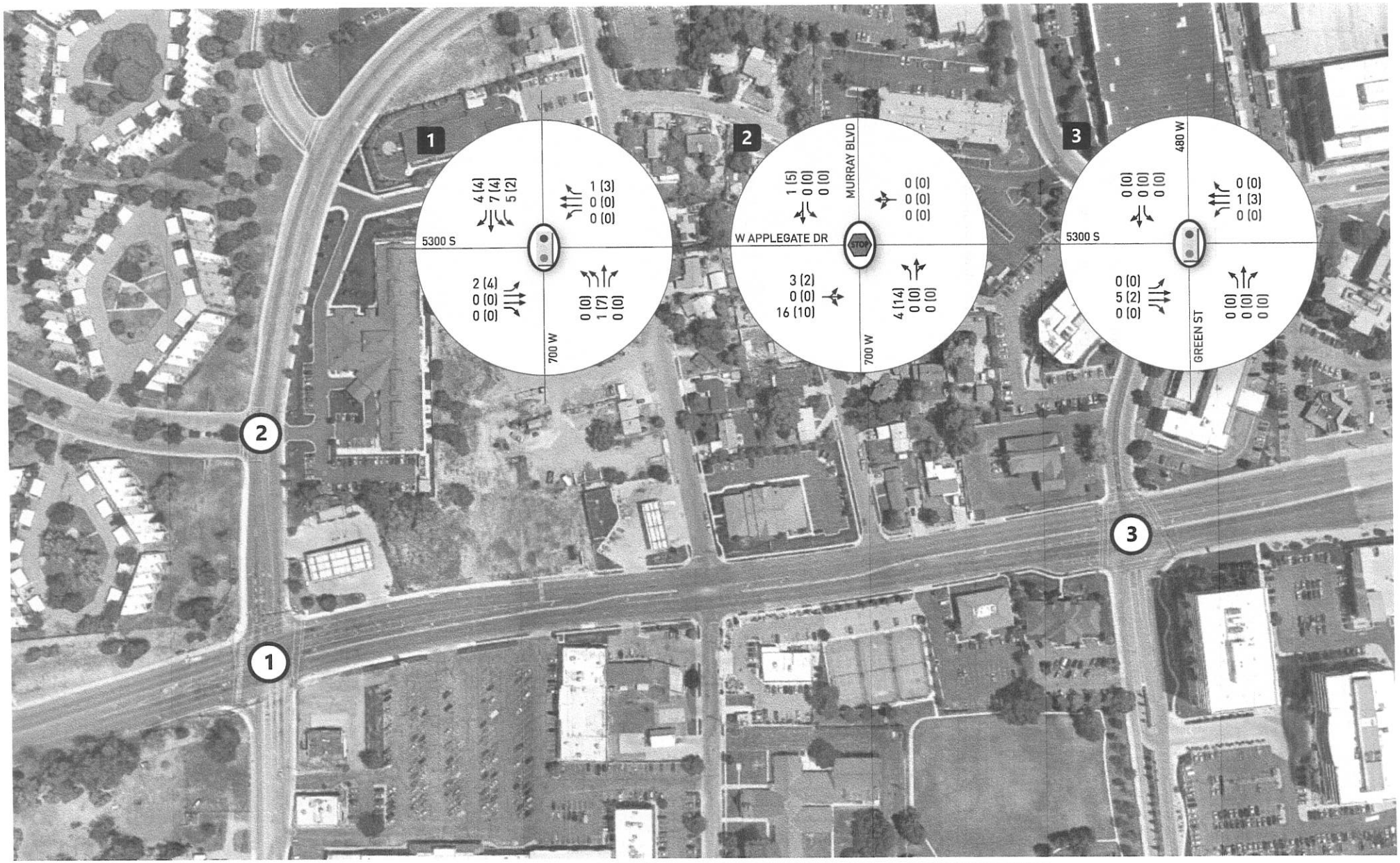
TRIP DISTRIBUTION AND ASSIGNMENT

Project traffic was assigned to the roadway network based on the proximity to major streets and freeways, roadway network, high population densities, and regional trip attractions. Existing travel patterns observed during data collection also provided helpful guidance to establish these distribution percentages, especially in close proximity to the site.

The project-generated trips were distributed to and from these directions in the corresponding percentages:

- 20% North (using Murray Boulevard)
- 20% West (using 5300 South)
- 35% East (using 5300 South)
- 25% South (using Murray Boulevard)

These trip distribution assumptions were used to distribute project generated traffic to the study area intersections for existing plus project conditions, as shown in **Figure 3**.



Applegate Expansion Traffic Impact Study

LEGEND

AM (PM) Traffic Volumes XX (YY)

FEHR PEERS

Figure 3

Project Volumes

EXISTING PLUS PROJECT CONDITIONS

PURPOSE

The purpose of the existing plus project analysis is to evaluate the impact of the proposed development after completion on the study intersections and roadways. In order to analyze this impact, the existing weekday AM and PM peak hour traffic volumes were combined with volumes generated by the proposed project for the AM and PM peak hour. Intersection LOS analyses were then performed to show the impact of the proposed development.

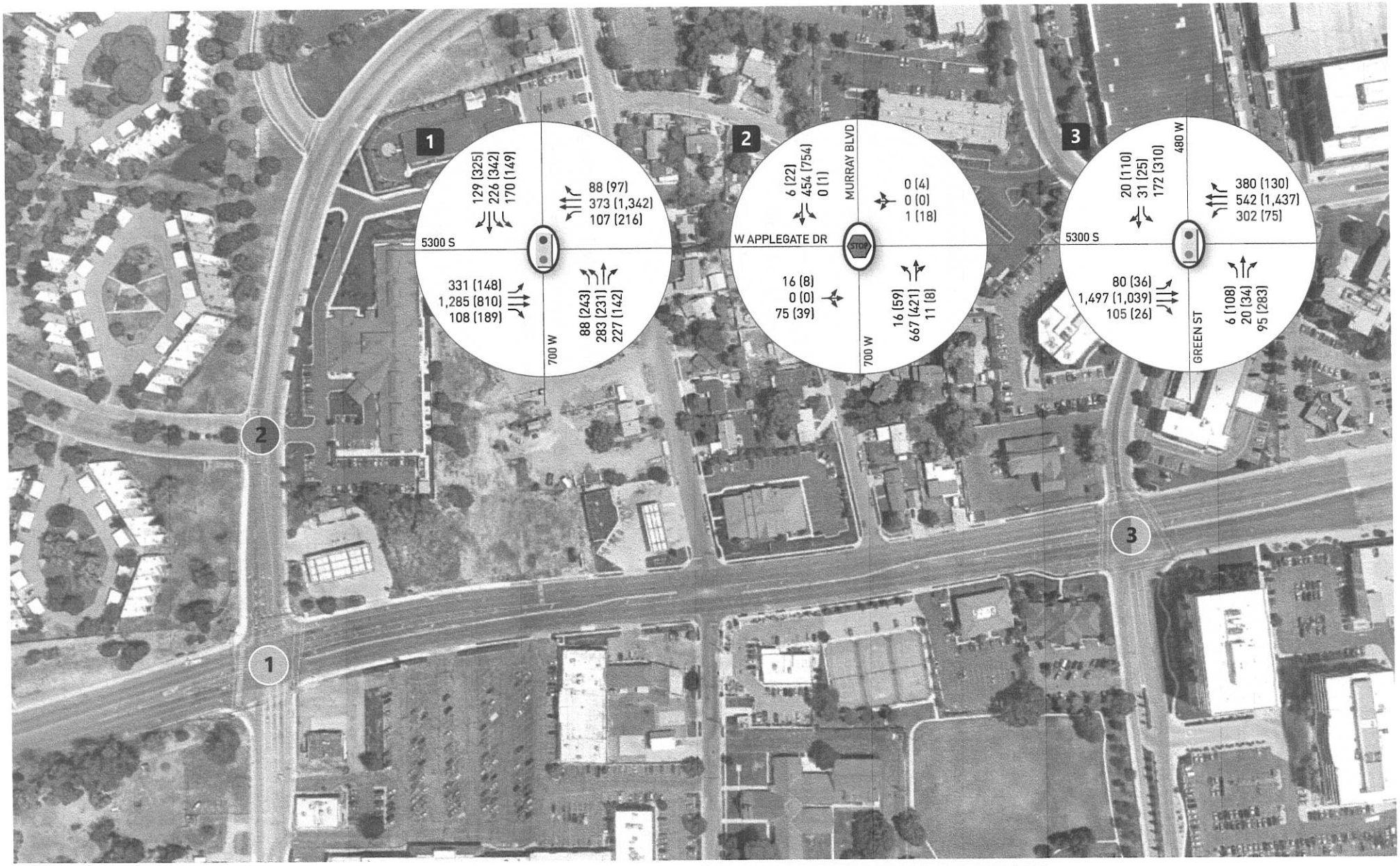
TRAFFIC VOLUMES

In order to evaluate the impacts of the proposed development, project-generated traffic (**Figure 3**) was added to the existing AM and PM peak hour volumes (**Figure 2)** to yield "existing plus project" weekday peak hour traffic volumes at the study intersections. The resulting traffic volumes are displayed in **Figure 4**.

LEVEL OF SERVICE ANALYSIS

Using Synchro software and the HCM 6 delay thresholds introduced above in **Table 1**, the existing plus project AM and PM peak hour LOS were computed for each study intersection (see Appendix A for detailed LOS reports). The results of this analysis are reported in **Table 4**.

As shown in **Table 4**, all intersections continue to operate at the same LOS as in the existing conditions, with minor additions to the delay at Murray Boulevard & 5300 S and at Murray Boulevard & Applegate Drive. Similar to the existing conditions analysis, the Synchro analysis reports Murray Boulevard & Applegate Drive operating at LOS E and F in the AM and PM peak hours, respectively. Applegate Drive's delay in this scenario is likely overstated for the same reason as the existing conditions analysis: southbound vehicles along Murray Boulevard were observed to keep clear from the intersection at Applegate Drive as required by the keep clear striping along southbound Murray Boulevard. Furthermore, the east and westbound queue lengths are contained on the minor street driveways. It should also be noted that Rome Beauty Park is proposed to add a connection to Glendon Street, which would allow vehicles to turn onto Murray Boulevard to alleviate delay experienced at Applegate Drive and avoid the southbound queue on Murray Boulevard. Therefore, no mitigations are recommended for existing plus project conditions.



Applegate Expansion Traffic Impact Study

FEHR PEERS

Figure 4

Existing + Project Conditions

TABLE 4 EXISTING PLUS PROJECT CONDITIONS PEAK HOUR LEVEL OF SERVICE

Intersection				Worst Movement[1]			Overall Intersection	
ID	Location	Period	Control	Movement[3]	Delay (sec/veh)	LOS	Avg. Delay (sec/veh)[2]	LOS
1	Murray Boulevard & 5300 South (Signal)	AM	Signal	-	-	-	31	C
		PM		-	-	-	29	C
2	Murray Boulevard & Applegate Drive (Side Street Stop)	AM	EB/WB Stop	WB LT	37	E	< 5	A
		PM		WB LT	83	F	< 5	A
3	College Drive & 5300 South (Signal)	AM	Signal	-	-	-	13	B
		PM		-	-	-	29	C

1. This represents the worst movement LOS and delay (seconds/vehicle) and is only reported for unsignalized intersections.
2. This represents the overall intersection LOS and delay (seconds/vehicle).
3. NB=Northbound, SB=Southbound, EB=Eastbound, WB=Westbound, LT=Left-turn, RT=Right-turn, and TH=Through

Source: Fehr & Peers 2019.

CONCLUSION

The analysis has shown that traffic generated by the proposed Applegate Expansion will have minimal impacts to the existing conditions in the study area. No mitigations are recommended at this study area.

APPENDIX A
SYNCHRO REPORTS

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	329	1285	108	107	373	87	88	282	227	165	219	125
Future Volume (veh/h)	329	1285	108	107	373	87	88	282	227	165	219	125
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		0.97	1.00		0.97	1.00		0.99	1.00		0.98
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	358	1397	50	116	405	34	96	307	100	179	238	24
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	662	1761	759	216	1504	652	307	352	295	235	313	260
Arrive On Green	0.13	0.50	0.50	0.11	0.85	0.85	0.09	0.19	0.19	0.07	0.17	0.17
Sat Flow, veh/h	1781	3554	1533	1781	3554	1539	3456	1870	1570	3456	1870	1557
Grp Volume(v), veh/h	358	1397	50	116	405	34	96	307	100	179	238	24
Grp Sat Flow(s),veh/h/ln	1781	1777	1533	1781	1777	1539	1728	1870	1570	1728	1870	1557
Q Serve(g_s), s	13.1	39.2	1.3	4.4	2.7	0.3	3.1	19.1	5.4	6.1	14.6	1.1
Cycle Q Clear(g_c), s	13.1	39.2	1.3	4.4	2.7	0.3	3.1	19.1	5.4	6.1	14.6	1.1
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	662	1761	759	216	1504	652	307	352	295	235	313	260
V/C Ratio(X)	0.54	0.79	0.07	0.54	0.27	0.05	0.31	0.87	0.34	0.76	0.76	0.09
Avail Cap(c_a), veh/h	662	1761	759	271	1504	652	307	405	340	389	468	389
HCM Platoon Ratio	1.00	1.00	1.00	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	0.94	0.94	0.94	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	14.4	25.2	6.4	21.9	5.5	2.7	51.2	47.3	27.8	55.0	47.7	22.5
Incr Delay (d2), s/veh	0.5	3.8	0.2	0.7	0.4	0.1	0.2	15.4	0.3	1.9	1.7	0.1
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	5.1	16.4	0.7	1.7	1.0	0.2	1.4	10.3	2.5	2.7	6.9	0.6
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	14.9	28.9	6.5	22.6	5.9	2.9	51.5	62.7	28.1	56.9	49.4	22.6
LnGrp LOS	B	C	A	C	A	A	D	E	C	E	D	C
Approach Vol, veh/h		1805			555			503			441	
Approach Delay, s/veh		25.5			9.2			53.7			51.0	
Approach LOS		C			A			D			D	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	20.0	56.8	13.6	29.6	11.3	65.5	16.1	27.1
Change Period (Y+Rc), s	5.0	6.0	5.5	7.0	5.0	6.0	5.5	7.0
Max Green Setting (Gmax), s	15.0	42.0	13.5	26.0	10.0	47.0	9.5	30.0
Max Q Clear Time (g_c+I1), s	15.1	4.7	8.1	21.1	6.4	41.2	5.1	16.6
Green Ext Time (p_c), s	0.0	0.9	0.1	0.3	0.0	2.3	0.0	0.4

Intersection Summary	
HCM 6th Ctrl Delay	30.5
HCM 6th LOS	C

Notes

User approved pedestrian interval to be less than phase max green.

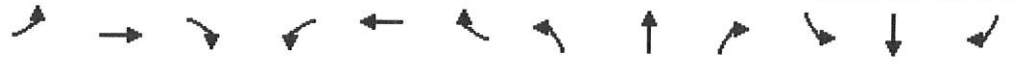
Intersection	
Int Delay, s/veh	1

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	13	0	59	1	0	0	12	667	11	0	454	5
Future Vol, veh/h	13	0	59	1	0	0	12	667	11	0	454	5
Conflicting Peds, #/hr	1	0	1	1	0	1	1	0	1	1	0	1
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	50	-	-	-	50	-	-	50	-	20
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	90	90	90	90	90	90	90	90	90	90	90	90
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	14	0	66	1	0	0	13	741	12	0	504	6

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1279	1285	506	1315	1285	749	511	0	0	754	0	0
Stage 1	505	505	-	774	774	-	-	-	-	-	-	-
Stage 2	774	780	-	541	511	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	143	165	566	135	165	412	1054	-	-	856	-	-
Stage 1	549	540	-	391	408	-	-	-	-	-	-	-
Stage 2	391	406	-	525	537	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	141	163	565	118	163	411	1053	-	-	855	-	-
Mov Cap-2 Maneuver	141	163	-	118	163	-	-	-	-	-	-	-
Stage 1	542	539	-	386	403	-	-	-	-	-	-	-
Stage 2	386	401	-	464	536	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	16	35.8	0.1	0
HCM LOS	C	E		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	EBLn2	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1053	-	-	141	565	118	855	-	-
HCM Lane V/C Ratio	0.013	-	-	0.102	0.116	0.009	-	-	-
HCM Control Delay (s)	8.5	-	-	33.4	12.2	35.8	0	-	-
HCM Lane LOS	A	-	-	D	B	E	A	-	-
HCM 95th %tile Q(veh)	0	-	-	0.3	0.4	0	0	-	-



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	80	1492	105	302	541	380	6	20	95	172	31	20
Future Volume (veh/h)	80	1492	105	302	541	380	6	20	95	172	31	20
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		0.98	1.00		0.97	0.95		0.97	0.99		0.98
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	92	1715	38	347	622	343	7	23	32	198	36	2
Peak Hour Factor	0.87	0.87	0.87	0.87	0.87	0.87	0.87	0.87	0.87	0.87	0.87	0.87
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	422	1964	860	388	2084	944	158	118	97	277	241	13
Arrive On Green	0.08	1.00	1.00	0.10	0.61	0.61	0.01	0.06	0.06	0.08	0.14	0.14
Sat Flow, veh/h	1781	3554	1556	1781	3404	1542	1781	1870	1531	1781	1753	97
Grp Volume(v), veh/h	92	1715	38	347	622	343	7	23	32	198	0	38
Grp Sat Flow(s),veh/h/ln	1781	1777	1556	1781	1702	1542	1781	1870	1531	1781	0	1850
Q Serve(g_s), s	2.7	0.0	0.0	9.6	10.4	13.3	0.4	1.4	2.4	10.0	0.0	2.2
Cycle Q Clear(g_c), s	2.7	0.0	0.0	9.6	10.4	13.3	0.4	1.4	2.4	10.0	0.0	2.2
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		0.05
Lane Grp Cap(c), veh/h	422	1964	860	388	2084	944	158	118	97	277	0	255
V/C Ratio(X)	0.22	0.87	0.04	0.89	0.30	0.36	0.04	0.19	0.33	0.71	0.00	0.15
Avail Cap(c_a), veh/h	574	1964	860	464	2084	944	291	277	227	277	0	265
HCM Platoon Ratio	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	0.52	0.52	0.52	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	1.00
Uniform Delay (d), s/veh	10.3	0.0	0.0	13.2	11.0	11.6	51.9	53.3	53.8	48.1	0.0	45.5
Incr Delay (d2), s/veh	0.0	3.1	0.1	15.8	0.4	1.1	0.0	0.3	0.7	7.3	0.0	0.1
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	1.0	0.8	0.0	5.0	3.8	4.5	0.2	0.7	1.0	1.5	0.0	1.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	10.3	3.1	0.1	29.0	11.4	12.7	51.9	53.6	54.5	55.4	0.0	45.6
LnGrp LOS	B	A	A	C	B	B	D	D	D	E	A	D
Approach Vol, veh/h		1845			1312			62			236	
Approach Delay, s/veh		3.4			16.4			53.9			53.9	
Approach LOS		A			B			D			D	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	9.8	79.9	15.0	15.4	16.9	72.7	6.0	24.3
Change Period (Y+Rc), s	5.0	6.4	5.0	* 7.8	5.0	6.4	5.0	* 7.8
Max Green Setting (Gmax), s	15.0	53.6	10.0	* 18	17.0	51.6	10.0	* 17
Max Q Clear Time (g_c+I1), s	4.7	15.3	12.0	4.4	11.6	2.0	2.4	4.2
Green Ext Time (p_c), s	0.1	2.4	0.0	0.0	0.3	5.7	0.0	0.0

Intersection Summary	
HCM 6th Ctrl Delay	12.7
HCM 6th LOS	B

Notes

User approved pedestrian interval to be less than phase max green.
* HCM 6th computational engine requires equal clearance times for the phases crossing the barrier.

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	144	810	189	216	1342	94	243	224	142	147	338	321
Future Volume (veh/h)	144	810	189	216	1342	94	243	224	142	147	338	321
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		0.96	1.00		0.98	1.00		0.99	1.00		0.97
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	148	835	84	223	1384	39	251	231	18	152	348	180
Peak Hour Factor	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	267	1480	631	367	1580	694	274	307	258	456	405	335
Arrive On Green	0.06	0.42	0.42	0.18	0.89	0.89	0.08	0.16	0.16	0.13	0.22	0.22
Sat Flow, veh/h	1781	3554	1515	1781	3554	1560	3456	1870	1571	3456	1870	1543
Grp Volume(v), veh/h	148	835	84	223	1384	39	251	231	18	152	348	180
Grp Sat Flow(s),veh/h/ln	1781	1777	1515	1781	1777	1560	1728	1870	1571	1728	1870	1543
Q Serve(g_s), s	5.7	21.5	2.9	8.8	23.4	0.2	8.7	14.1	0.9	4.8	21.5	9.8
Cycle Q Clear(g_c), s	5.7	21.5	2.9	8.8	23.4	0.2	8.7	14.1	0.9	4.8	21.5	9.8
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	267	1480	631	367	1580	694	274	307	258	456	405	335
V/C Ratio(X)	0.55	0.56	0.13	0.61	0.88	0.06	0.92	0.75	0.07	0.33	0.86	0.54
Avail Cap(c_a), veh/h	302	1480	631	501	1580	694	274	468	393	456	468	386
HCM Platoon Ratio	1.00	1.00	1.00	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	0.48	0.48	0.48	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	20.4	26.7	10.6	17.5	5.0	1.3	54.9	47.8	25.2	47.3	45.2	26.1
Incr Delay (d2), s/veh	0.7	1.6	0.4	0.3	3.6	0.1	32.9	1.4	0.0	0.2	12.0	0.5
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	2.3	9.1	1.5	2.9	3.1	0.1	5.0	6.6	0.5	2.1	11.2	3.6
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	21.1	28.3	11.0	17.8	8.6	1.4	87.8	49.3	25.2	47.4	57.2	26.6
LnGrp LOS	C	C	B	B	A	A	F	D	C	D	E	C
Approach Vol, veh/h		1067			1646			500			680	
Approach Delay, s/veh		25.9			9.7			67.7			46.9	
Approach LOS		C			A			E			D	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	12.6	59.3	21.3	26.7	16.0	56.0	15.0	33.0
Change Period (Y+Rc), s	5.0	6.0	5.5	7.0	5.0	6.0	5.5	7.0
Max Green Setting (Gmax), s	10.0	47.0	9.5	30.0	20.0	37.0	9.5	30.0
Max Q Clear Time (g_c+I1), s	7.7	25.4	6.8	16.1	10.8	23.5	10.7	23.5
Green Ext Time (p_c), s	0.0	3.9	0.0	0.4	0.2	1.9	0.0	0.5

Intersection Summary	
HCM 6th Ctrl Delay	28.1
HCM 6th LOS	C

Notes

User approved pedestrian interval to be less than phase max green.

Intersection	
Int Delay, s/veh	2.2

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	6	0	29	18	0	4	45	421	8	1	754	17
Future Vol, veh/h	6	0	29	18	0	4	45	421	8	1	754	17
Conflicting Peds, #/hr	3	0	2	1	0	2	2	0	1	2	0	3
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	50	-	-	-	50	-	-	50	-	20
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	80	80	80	80	80	80	80	80	80	80	80	80
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	8	0	36	23	0	5	56	526	10	1	943	21

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1597	1598	948	1621	1614	536	967	0	0	538	0	0
Stage 1	948	948	-	645	645	-	-	-	-	-	-	-
Stage 2	649	650	-	976	969	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	86	106	316	83	104	545	712	-	-	1030	-	-
Stage 1	313	339	-	461	467	-	-	-	-	-	-	-
Stage 2	458	465	-	302	332	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	80	97	314	69	95	542	710	-	-	1028	-	-
Mov Cap-2 Maneuver	80	97	-	69	95	-	-	-	-	-	-	-
Stage 1	287	338	-	424	429	-	-	-	-	-	-	-
Stage 2	417	427	-	266	331	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	24.3	69.6	1	0
HCM LOS	C	F		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	EBLn2	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	710	-	-	80	314	82	1028	-	-
HCM Lane V/C Ratio	0.079	-	-	0.094	0.115	0.335	0.001	-	-
HCM Control Delay (s)	10.5	-	-	54.6	18	69.6	8.5	-	-
HCM Lane LOS	B	-	-	F	C	F	A	-	-
HCM 95th %tile Q(veh)	0.3	-	-	0.3	0.4	1.3	0	-	-

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	36	1037	26	75	1434	130	108	34	283	310	25	110
Future Volume (veh/h)	36	1037	26	75	1434	130	108	34	283	310	25	110
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		0.98	1.00		0.97	0.99		0.98	1.00		0.99
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	47	1347	9	97	1862	159	140	44	184	403	32	43
Peak Hour Factor	0.77	0.77	0.77	0.77	0.77	0.77	0.77	0.77	0.77	0.77	0.77	0.77
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	164	1825	800	339	2493	212	367	254	211	385	116	155
Arrive On Green	0.07	1.00	1.00	0.04	0.52	0.52	0.08	0.14	0.14	0.11	0.16	0.16
Sat Flow, veh/h	1781	3554	1559	1781	4782	406	1781	1870	1553	1781	718	964
Grp Volume(v), veh/h	47	1347	9	97	1323	698	140	44	184	403	0	75
Grp Sat Flow(s),veh/h/ln	1781	1777	1559	1781	1702	1784	1781	1870	1553	1781	0	1682
Q Serve(g_s), s	1.5	0.0	0.0	3.1	36.5	36.9	8.0	2.5	13.9	13.0	0.0	4.7
Cycle Q Clear(g_c), s	1.5	0.0	0.0	3.1	36.5	36.9	8.0	2.5	13.9	13.0	0.0	4.7
Prop In Lane	1.00		1.00	1.00		0.23	1.00		1.00	1.00		0.57
Lane Grp Cap(c), veh/h	164	1825	800	339	1775	930	367	254	211	385	0	271
V/C Ratio(X)	0.29	0.74	0.01	0.29	0.75	0.75	0.38	0.17	0.87	1.05	0.00	0.28
Avail Cap(c_a), veh/h	254	1825	800	415	1775	930	412	277	230	385	0	271
HCM Platoon Ratio	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	0.83	0.83	0.83	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	1.00
Uniform Delay (d), s/veh	18.9	0.0	0.0	12.6	22.5	22.6	39.8	45.9	50.9	46.2	0.0	44.2
Incr Delay (d2), s/veh	0.3	2.3	0.0	0.2	2.9	5.5	0.2	0.1	25.7	58.9	0.0	0.2
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.6	0.6	0.0	1.2	14.4	15.9	3.6	1.2	7.0	11.7	0.0	2.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	19.2	2.3	0.0	12.8	25.4	28.1	40.0	46.0	76.5	105.1	0.0	44.4
LnGrp LOS	B	A	A	B	C	C	D	D	E	F	A	D
Approach Vol, veh/h		1403			2118			368			478	
Approach Delay, s/veh		2.8			25.7			59.0			95.6	
Approach LOS		A			C			E			F	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	9.0	69.0	18.0	24.1	9.9	68.0	15.0	27.1
Change Period (Y+Rc), s	5.0	6.4	5.0	* 7.8	5.0	6.4	5.0	* 7.8
Max Green Setting (Gmax), s	10.0	55.6	13.0	* 18	10.0	55.6	13.0	* 17
Max Q Clear Time (g_c+I1), s	3.5	38.9	15.0	15.9	5.1	2.0	10.0	6.7
Green Ext Time (p_c), s	0.0	5.3	0.0	0.0	0.0	3.9	0.1	0.1

Intersection Summary	
HCM 6th Ctrl Delay	28.8
HCM 6th LOS	C

Notes

User approved pedestrian interval to be less than phase max green.

* HCM 6th computational engine requires equal clearance times for the phases crossing the barrier.

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	331	1285	108	107	373	88	88	283	227	170	226	129
Future Volume (veh/h)	331	1285	108	107	373	88	88	283	227	170	226	129
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		0.97	1.00		0.97	1.00		0.99	1.00		0.98
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	360	1397	50	116	405	35	96	308	100	185	246	28
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	659	1752	756	215	1497	648	303	352	296	241	319	265
Arrive On Green	0.13	0.49	0.49	0.11	0.84	0.84	0.09	0.19	0.19	0.07	0.17	0.17
Sat Flow, veh/h	1781	3554	1533	1781	3554	1539	3456	1870	1570	3456	1870	1557
Grp Volume(v), veh/h	360	1397	50	116	405	35	96	308	100	185	246	28
Grp Sat Flow(s),veh/h/ln	1781	1777	1533	1781	1777	1539	1728	1870	1570	1728	1870	1557
Q Serve(g_s), s	13.3	39.4	1.3	4.5	2.8	0.3	3.1	19.2	5.4	6.3	15.1	1.3
Cycle Q Clear(g_c), s	13.3	39.4	1.3	4.5	2.8	0.3	3.1	19.2	5.4	6.3	15.1	1.3
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	659	1752	756	215	1497	648	303	352	296	241	319	265
V/C Ratio(X)	0.55	0.80	0.07	0.54	0.27	0.05	0.32	0.87	0.34	0.77	0.77	0.11
Avail Cap(c_a), veh/h	659	1752	756	269	1497	648	303	405	340	389	468	389
HCM Platoon Ratio	1.00	1.00	1.00	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	0.94	0.94	0.94	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	14.5	25.4	6.5	22.1	5.7	2.8	51.4	47.3	27.8	54.9	47.5	22.3
Incr Delay (d2), s/veh	0.5	3.9	0.2	0.7	0.4	0.1	0.2	15.6	0.2	2.0	2.4	0.1
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	5.1	16.6	0.7	1.7	1.0	0.2	1.4	10.3	2.5	2.8	7.2	0.7
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	15.1	29.3	6.7	22.8	6.1	3.0	51.6	62.9	28.0	56.8	49.9	22.4
LnGrp LOS	B	C	A	C	A	A	D	E	C	E	D	C
Approach Vol, veh/h		1807			556			504			459	
Approach Delay, s/veh		25.8			9.4			53.8			51.0	
Approach LOS		C			A			D			D	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	20.0	56.5	13.9	29.6	11.4	65.2	16.0	27.4
Change Period (Y+Rc), s	5.0	6.0	5.5	7.0	5.0	6.0	5.5	7.0
Max Green Setting (Gmax), s	15.0	42.0	13.5	26.0	10.0	47.0	9.5	30.0
Max Q Clear Time (g_c+I1), s	15.3	4.8	8.3	21.2	6.5	41.4	5.1	17.1
Green Ext Time (p_c), s	0.0	0.9	0.1	0.3	0.0	2.3	0.0	0.4

Intersection Summary	
HCM 6th Ctrl Delay	30.8
HCM 6th LOS	C

Notes

User approved pedestrian interval to be less than phase max green.

Intersection	
Int Delay, s/veh	1.3

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	16	0	75	1	0	0	16	667	11	0	454	6
Future Vol, veh/h	16	0	75	1	0	0	16	667	11	0	454	6
Conflicting Peds, #/hr	1	0	1	1	0	1	1	0	1	1	0	1
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	50	-	-	-	50	-	-	50	-	20
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	90	90	90	90	90	90	90	90	90	90	90	90
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	18	0	83	1	0	0	18	741	12	0	504	7

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1289	1295	506	1334	1296	749	512	0	0	754	0	0
Stage 1	505	505	-	784	784	-	-	-	-	-	-	-
Stage 2	784	790	-	550	512	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	141	162	566	131	162	412	1053	-	-	856	-	-
Stage 1	549	540	-	386	404	-	-	-	-	-	-	-
Stage 2	386	402	-	519	536	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	139	159	565	110	159	411	1052	-	-	855	-	-
Mov Cap-2 Maneuver	139	159	-	110	159	-	-	-	-	-	-	-
Stage 1	539	539	-	379	397	-	-	-	-	-	-	-
Stage 2	379	395	-	442	535	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	16.4	38.1	0.2	0
HCM LOS	C	E		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	EBLn2	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1052	-	-	139	565	110	855	-	-
HCM Lane V/C Ratio	0.017	-	-	0.128	0.147	0.01	-	-	-
HCM Control Delay (s)	8.5	-	-	34.7	12.5	38.1	0	-	-
HCM Lane LOS	A	-	-	D	B	E	A	-	-
HCM 95th %tile Q(veh)	0.1	-	-	0.4	0.5	0	0	-	-

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	80	1497	105	302	542	380	6	20	95	172	31	20
Future Volume (veh/h)	80	1497	105	302	542	380	6	20	95	172	31	20
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		0.98	1.00		0.97	0.95		0.97	0.99		0.98
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	92	1721	38	347	623	343	7	23	32	198	36	2
Peak Hour Factor	0.87	0.87	0.87	0.87	0.87	0.87	0.87	0.87	0.87	0.87	0.87	0.87
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	422	1964	860	387	2084	944	158	118	97	277	241	13
Arrive On Green	0.08	1.00	1.00	0.10	0.61	0.61	0.01	0.06	0.06	0.08	0.14	0.14
Sat Flow, veh/h	1781	3554	1556	1781	3404	1542	1781	1870	1531	1781	1753	97
Grp Volume(v), veh/h	92	1721	38	347	623	343	7	23	32	198	0	38
Grp Sat Flow(s),veh/h/ln	1781	1777	1556	1781	1702	1542	1781	1870	1531	1781	0	1850
Q Serve(g_s), s	2.7	0.0	0.0	9.6	10.4	13.3	0.4	1.4	2.4	10.0	0.0	2.2
Cycle Q Clear(g_c), s	2.7	0.0	0.0	9.6	10.4	13.3	0.4	1.4	2.4	10.0	0.0	2.2
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		0.05
Lane Grp Cap(c), veh/h	422	1964	860	387	2084	944	158	118	97	277	0	255
V/C Ratio(X)	0.22	0.88	0.04	0.90	0.30	0.36	0.04	0.19	0.33	0.71	0.00	0.15
Avail Cap(c_a), veh/h	574	1964	860	463	2084	944	291	277	227	277	0	265
HCM Platoon Ratio	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	0.52	0.52	0.52	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	1.00
Uniform Delay (d), s/veh	10.3	0.0	0.0	13.3	11.0	11.6	51.9	53.3	53.8	48.1	0.0	45.5
Incr Delay (d2), s/veh	0.0	3.2	0.1	16.1	0.4	1.1	0.0	0.3	0.7	7.3	0.0	0.1
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	1.0	0.9	0.0	5.1	3.8	4.5	0.2	0.7	1.0	1.5	0.0	1.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	10.3	3.2	0.1	29.4	11.4	12.7	51.9	53.6	54.5	55.4	0.0	45.6
LnGrp LOS	B	A	A	C	B	B	D	D	D	E	A	D
Approach Vol, veh/h		1851			1313			62			236	
Approach Delay, s/veh		3.5			16.5			53.9			53.9	
Approach LOS		A			B			D			D	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	9.8	79.9	15.0	15.4	16.9	72.7	6.0	24.3
Change Period (Y+Rc), s	5.0	6.4	5.0	*7.8	5.0	6.4	5.0	*7.8
Max Green Setting (Gmax), s	15.0	53.6	10.0	*18	17.0	51.6	10.0	*17
Max Q Clear Time (g_c+I1), s	4.7	15.3	12.0	4.4	11.6	2.0	2.4	4.2
Green Ext Time (p_c), s	0.1	2.4	0.0	0.0	0.3	5.8	0.0	0.0

Intersection Summary	
HCM 6th Ctrl Delay	12.8
HCM 6th LOS	B

Notes

User approved pedestrian interval to be less than phase max green.
* HCM 6th computational engine requires equal clearance times for the phases crossing the barrier.

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	148	810	189	216	1342	97	243	231	142	149	342	325
Future Volume (veh/h)	148	810	189	216	1342	97	243	231	142	149	342	325
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		0.96	1.00		0.98	1.00		0.99	1.00		0.97
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	153	835	84	223	1384	42	251	238	18	154	353	184
Peak Hour Factor	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	264	1472	628	366	1567	688	274	311	262	454	409	337
Arrive On Green	0.07	0.41	0.41	0.18	0.88	0.88	0.08	0.17	0.17	0.13	0.22	0.22
Sat Flow, veh/h	1781	3554	1515	1781	3554	1560	3456	1870	1571	3456	1870	1544
Grp Volume(v), veh/h	153	835	84	223	1384	42	251	238	18	154	353	184
Grp Sat Flow(s),veh/h/ln	1781	1777	1515	1781	1777	1560	1728	1870	1571	1728	1870	1544
Q Serve(g_s), s	5.9	21.6	2.9	8.9	25.0	0.2	8.7	14.6	0.9	4.9	21.8	10.0
Cycle Q Clear(g_c), s	5.9	21.6	2.9	8.9	25.0	0.2	8.7	14.6	0.9	4.9	21.8	10.0
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	264	1472	628	366	1567	688	274	311	262	454	409	337
V/C Ratio(X)	0.58	0.57	0.13	0.61	0.88	0.06	0.92	0.76	0.07	0.34	0.86	0.55
Avail Cap(c_a), veh/h	296	1472	628	499	1567	688	274	468	393	454	468	386
HCM Platoon Ratio	1.00	1.00	1.00	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	0.48	0.48	0.48	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	21.1	26.9	10.7	17.7	5.4	1.4	54.9	47.8	25.0	47.4	45.2	25.8
Incr Delay (d2), s/veh	1.0	1.6	0.4	0.3	3.9	0.1	32.9	1.8	0.0	0.2	12.7	0.5
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	2.4	9.2	1.5	3.0	3.3	0.2	5.0	6.9	0.5	2.1	11.4	3.7
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	22.1	28.5	11.2	18.0	9.3	1.5	87.8	49.5	25.0	47.6	57.8	26.4
LnGrp LOS	C	C	B	B	A	A	F	D	C	D	E	C
Approach Vol, veh/h		1072			1649			507			691	
Approach Delay, s/veh		26.2			10.3			67.6			47.2	
Approach LOS		C			B			E			D	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	12.9	58.9	21.2	27.0	16.1	55.7	15.0	33.2
Change Period (Y+Rc), s	5.0	6.0	5.5	7.0	5.0	6.0	5.5	7.0
Max Green Setting (Gmax), s	10.0	47.0	9.5	30.0	20.0	37.0	9.5	30.0
Max Q Clear Time (g_c+I1), s	7.9	27.0	6.9	16.6	10.9	23.6	10.7	23.8
Green Ext Time (p_c), s	0.0	3.8	0.0	0.4	0.2	1.9	0.0	0.5

Intersection Summary	
HCM 6th Ctrl Delay	28.6
HCM 6th LOS	C

Notes

User approved pedestrian interval to be less than phase max green.

Intersection	
Int Delay, s/veh	2.8

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↰	↱		↔		↰	↑		↰	↑	↱
Traffic Vol, veh/h	8	0	39	18	0	4	59	421	8	1	754	22
Future Vol, veh/h	8	0	39	18	0	4	59	421	8	1	754	22
Conflicting Peds, #/hr	3	0	2	1	0	2	2	0	1	2	0	3
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	50	-	-	-	50	-	-	50	-	20
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	80	80	80	80	80	80	80	80	80	80	80	80
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	10	0	49	23	0	5	74	526	10	1	943	28

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1633	1634	948	1667	1657	536	974	0	0	538	0	0
Stage 1	948	948	-	681	681	-	-	-	-	-	-	-
Stage 2	685	686	-	986	976	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	81	101	316	77	98	545	708	-	-	1030	-	-
Stage 1	313	339	-	440	450	-	-	-	-	-	-	-
Stage 2	438	448	-	298	329	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	73	90	314	60	87	542	706	-	-	1028	-	-
Mov Cap-2 Maneuver	73	90	-	60	87	-	-	-	-	-	-	-
Stage 1	280	338	-	393	402	-	-	-	-	-	-	-
Stage 2	387	400	-	251	328	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	26	83.1	1.3	0
HCM LOS	D	F		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	EBLn2	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	706	-	-	73	314	72	1028	-	-
HCM Lane V/C Ratio	0.104	-	-	0.137	0.155	0.382	0.001	-	-
HCM Control Delay (s)	10.7	-	-	62	18.6	83.1	8.5	-	-
HCM Lane LOS	B	-	-	F	C	F	A	-	-
HCM 95th %tile Q(veh)	0.3	-	-	0.5	0.5	1.5	0	-	-

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	36	1039	26	75	1437	130	108	34	283	310	25	110
Future Volume (veh/h)	36	1039	26	75	1437	130	108	34	283	310	25	110
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		0.98	1.00		0.97	0.99		0.98	1.00		0.99
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	47	1349	9	97	1866	159	140	44	184	403	32	43
Peak Hour Factor	0.77	0.77	0.77	0.77	0.77	0.77	0.77	0.77	0.77	0.77	0.77	0.77
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	163	1825	800	339	2494	211	367	254	211	385	116	155
Arrive On Green	0.07	1.00	1.00	0.04	0.52	0.52	0.08	0.14	0.14	0.11	0.16	0.16
Sat Flow, veh/h	1781	3554	1559	1781	4783	406	1781	1870	1553	1781	718	964
Grp Volume(v), veh/h	47	1349	9	97	1325	700	140	44	184	403	0	75
Grp Sat Flow(s),veh/h/ln	1781	1777	1559	1781	1702	1784	1781	1870	1553	1781	0	1682
Q Serve(g_s), s	1.5	0.0	0.0	3.1	36.6	37.0	8.0	2.5	13.9	13.0	0.0	4.7
Cycle Q Clear(g_c), s	1.5	0.0	0.0	3.1	36.6	37.0	8.0	2.5	13.9	13.0	0.0	4.7
Prop In Lane	1.00		1.00	1.00		0.23	1.00		1.00	1.00		0.57
Lane Grp Cap(c), veh/h	163	1825	800	339	1775	930	367	254	211	385	0	271
V/C Ratio(X)	0.29	0.74	0.01	0.29	0.75	0.75	0.38	0.17	0.87	1.05	0.00	0.28
Avail Cap(c_a), veh/h	253	1825	800	414	1775	930	412	277	230	385	0	271
HCM Platoon Ratio	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	0.83	0.83	0.83	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	1.00
Uniform Delay (d), s/veh	18.9	0.0	0.0	12.6	22.5	22.6	39.8	45.9	50.9	46.2	0.0	44.2
Incr Delay (d2), s/veh	0.3	2.3	0.0	0.2	2.9	5.6	0.2	0.1	25.7	58.9	0.0	0.2
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.6	0.6	0.0	1.2	14.4	16.0	3.6	1.2	7.0	11.7	0.0	2.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	19.2	2.3	0.0	12.8	25.4	28.2	40.0	46.0	76.5	105.1	0.0	44.4
LnGrp LOS	B	A	A	B	C	C	D	D	E	F	A	D
Approach Vol, veh/h		1405			2122			368			478	
Approach Delay, s/veh		2.8			25.8			59.0			95.6	
Approach LOS		A			C			E			F	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	9.0	69.0	18.0	24.1	9.9	68.0	15.0	27.1
Change Period (Y+Rc), s	5.0	6.4	5.0	* 7.8	5.0	6.4	5.0	* 7.8
Max Green Setting (Gmax), s	10.0	55.6	13.0	* 18	10.0	55.6	13.0	* 17
Max Q Clear Time (g_c+I1), s	3.5	39.0	15.0	15.9	5.1	2.0	10.0	6.7
Green Ext Time (p_c), s	0.0	5.3	0.0	0.0	0.0	3.9	0.1	0.1

Intersection Summary	
HCM 6th Ctrl Delay	28.8
HCM 6th LOS	C

Notes

User approved pedestrian interval to be less than phase max green.

* HCM 6th computational engine requires equal clearance times for the phases crossing the barrier.

FEHR PEERS

Memorandum

Date:	July 20, 2022
To:	Quinn Millet, Wellsville Mtns LLC
CC:	Jake Christensen, Atlas Ventures
From:	Calvin Clark, Fehr & Peers Chris Bender, Fehr & Peers Preston Stinger, Fehr & Peers
Subject:	**Applegate Expansion TIS Update Phase 1**

UT22-2375

This memo summarizes the analyses performed for phase 1 of the Applegate Expansion TIS Update. Fehr & Peers performed the following tasks as part of this phase:

1. Reviewed the current Murray city code that outlines required accesses to the development,
2. Collected 24-hour traffic counts along Applegate Drive,
3. Performed a functional class analysis of Applegate Drive based on existing and existing plus project traffic volumes according to Murray's city guidelines,
4. Analyzed the proposed site plan included in the appendix to identify locations where on-street parking would be feasible along Applegate Drive.

Access Requirements

Fehr & Peers reviewed Murray's city code relating to access management for new developments. Murray City Code 16.16.090 (A) states:

> *All lots or parcels created by the subdivision of land, for single-family or two-family dwellings, including, without limiting, subdivisions, residential infill developments, and planned unit developments, shall abut a public street which is improved to standards established according to this chapter.*

Applegate Drive is currently operated as a private local road; however, the city code requires that all single-family or two-family dwellings abut a public road. As the current site plan includes attached townhomes in sections of three or more, Applegate Drive can accommodate this site plan while maintaining private ownership.

Murray City Code 16.16.170 (B.2) states:

> *Multiple-Family Dwellings: Any residential subdivision development of more than one hundred (100) multiple-family dwellings shall have access to and from at least two (2) existing or proposed streets.*

The Applegate community currently has more than 100 multifamily dwellings in the existing development, and therefore already requires a second street access. Although Applegate has not been required to retroactively meet this requirement, we anticipate that Murray will require that the entire development will need to meet this requirement if the proposed 50 new units in the Applegate expansion are constructed.

Fehr & Peers recommends coordinating with Murray city staff to provide a connection between Applegate Dr and 5160 South to create the second access to the community. To alleviate concerns of increased traffic on Applegate Dr from cut-through traffic from the neighborhood to the west accessing Murray Blvd / 700 West / 5300 S, a gate can be installed. It is important that the gate allow emergency vehicles to maintain access during an emergency in case Applegate Dr at Murray Blvd becomes inaccessible. Fehr & Peers does not anticipate that much traffic from Applegate Dr would use the access to 5160 South regularly, but the connection would provide an alternative for the small number of residents currently attempting to turn left from Applegate onto Murray Blvd but are currently experiencing moderately high delays. Fehr & Peers estimates that no more than 5% of traffic would divert to use the additional access under typical circumstances.

Data Collection

Fehr & Peers collected 24-hour traffic counts along Applegate Drive between Murray Boulevard and Ben Davis Park on Thursday, June 9, 2022, and on Saturday, June 11, 2022. The daily two-way traffic volumes counted on these days are presented in **Table 1**.

Table 1: Applegate Drive East of Ben Davis Park Daily Traffic Counts

Day	Westbound	Eastbound	Two-way
Thursday	468	474	942
Saturday	444	443	887

Source: Fehr & Peers.

As shown in the table, the two-way traffic volumes on both days were under 1,000 daily vehicles. Thursday was found to be the day with the highest observed traffic volumes during the data collection.

Functional Class Analysis

Murray Functional Class Requirements

Murray City's roadway classifications are based on "use, roadway geometry and traffic volume" (Murray City Access Management Standards, 2019). Murray City operates the following classifications:

- Minor Arterial (10,000-25,000 daily vehicles)
- Major Collector (3,500-10,000 daily vehicles)
- Minor Collector (1,500-3,500 daily vehicles)
- Local Street (less than 1,500 daily vehicles)

Murray engineering staff have specified that local streets can be sub-categorized into two classifications Local streets that serve 800-1,500 vehicle trips per day are considered "residential collector" streets, which functionally act as a bridge between smaller local streets and collector/arterial roads. Local streets that serve fewer than 800 vehicle trips per day are considered "minor local" streets.

Murray's standard drawings indicate that local streets require 49-60 feet of right-of-way with 25-35 feet of that being pavement. Murray engineering staff also stated that "residential collector" streets generally require the maximum right-of-way of 60 feet with 35 feet of pavement. Minor local streets typically require only the minimum right-of-way of 49 feet with 25 feet of pavement.

Daily Trip Generation

Fehr & Peers estimated the daily trips generated by the proposed Applegate expansion of 50 townhomes using the Institute of Transportation Engineers (ITE) *Trip Generation, 11th Edition* (2021) manual. The trip generation is shown in **Table 2**.

Table 2: Daily Trip Generation

ITE Land Use	Units	Daily Trips
215 – Single-Family Attached Housing	50	331

Source: Fehr & Peers.

Fehr & Peers approximated the total "existing plus project" daily two-way traffic along Applegate Drive east of Ben Davis Park by combining the existing daily traffic volumes from the day with the highest observed traffic volumes during our data collection (**Table 1**) with the daily trips to be generated by the proposed Applegate expansion (**Table 2**). Fehr & Peers did the same with the portion of Applegate Drive west of Rome Beauty Park, though existing two-way volumes were derived from the counts east of Ben Davis. Roughly 40% of current trip generators in the Applegate community access Applegate Drive west of Rome Beauty Park to enter/exit via the primary neighborhood entrance on Murray Blvd. A maximum of 5% of existing traffic are assumed to redirect from the current access to the western access. These estimates combine to give an upper estimate for Applegate Drive west of Rome Beauty Park of 45% of traffic counted on Applegate Drive east of Ben Davis Park

The two-way daily existing, two-way daily trip generation, and two-way plus project volumes are presented in **Table 3**. The table also includes Murray's functional classification type based on the traffic volume requirements of a minor local street (less than 800 vehicles) and a residential collector (between 800 vehicles and 1500 vehicles). As shown in the table, the existing volume of 942 daily vehicles and the existing plus project daily volume of 1,273 daily vehicles along Applegate Drive east of Ben Davis Park are both within Murray's functional classification requirement for a residential collector, which requires a pavement width of 35 feet, and a total right-of-way of 60 feet. Since the expected traffic west of Rome Beauty Park is less than 800 vehicles, Fehr & Peers recommends treating this section as a minor local street with a pavement width of 25 feet and a total right-of-way of 49 feet. Fehr & Peers recommends maintaining the greater width between the two sections, with the width of the road changing at the intersection of Rome Beauty Park.

Table 3: Applegate Drive Functional Class Analysis

Location	Two-way Existing Volumes	Two-way Project Volumes	Existing + Project Two-way Volumes	Murray Street Classification
East of Ben Davis Park	942	331	1,273	Residential Collector (60') – (<1,500 ADT)
West of Rome Beauty Park	424	331	755	Minor Local Street (49') – (<800 ADT)

Source: Fehr & Peers, 2022; Murray City Access Management Standards, 2019.

On-street Parking Analysis

Fehr & Peers reviewed recommended parking dimensions from the Urban Land Institute's (ULI) *Dimensions of Parking, Fifth Edition* (2010) and consulted with Murray city staff about recommended on-street parking spacing in Murray. The ULI manual indicates that a typical passenger vehicle will occupy approximately 17-18 feet of space along the street. Additionally, Murray city staff recommended providing 5 feet of space between driveways and the edge of a vehicle. Therefore, for this study, Fehr & Peers recommends that a minimum length of 22 feet of space along Applegate Drive would be required per vehicle of on-street parking capacity.

The project team also evaluated the proposed Applegate Townhomes expansion site plan to approximate the amount of available on-street parking space. The site plan indicates that each of the proposed duplex-style townhomes would have two driveways spaced approximately 14 feet apart, so no on-street parking would be feasible immediately in front of the townhomes. Additionally, each of the pairs of townhomes along the south side of Applegate Drive are spaced within 10 feet of each other, so no parking is feasible between the townhomes there. Due to the curvature of the road, some of the driveways along the north side are spaced as far as 21.5 feet apart. However, these segments still do not provide sufficient space for on-street parking. Furthermore, the pavement width in this section of Applegate Drive is anticipated to be 25 feet. Fehr & Peers does not recommend striping for on-street parking on a roadway less than 35 feet wide. Therefore, Fehr & Peers does not recommend permitting any on-street parking along Applegate Drive in the vicinity of the proposed expansion.

Recommendations

Fehr & Peers reviewed the site plan for the Applegate Expansion along with the requirements for Murray City to develop recommendations for the Applegate Expansion to meet City requirements. We recommend coordinating with Murray city staff to develop a plan to add a second access to the community between Applegate Dr and 5160 S to meet Murray's requirement for all communities of more than 100 multi-family units to provide a second access. If the access is gated, it is not anticipated that this connection would cause adverse traffic impacts on either side of the connection.

Functionally, due to the low volumes observed during data collection, we recommend that Applegate Drive maintain its current functional class of a local street, with a pavement width of 35

feet and a total right-of-way of 60 feet between Rome Beauty Park and Murray Blvd and a pavement width of 25 feet and a total right-of-way of 49 feet west of Rome Beauty Park.

Based on the current spacing of driveways throughout the site, Fehr & Peers does not recommend permitting on-street parking along Applegate Drive within the vicinity of the proposed expansion.

Appendix: Proposed site plan for Applegate Townhomes Expansion

FEHR PEERS

Memorandum

Date: December 28, 2022

To: Quinn Millet, Wellsville Mtns LLC
Jake Christensen, Atlas Ventures

From: Calvin Clark, Fehr & Peers
Preston Stinger, Fehr & Peers

Subject: Applegate Expansion Queue Analysis

UT22-2375

This memo summarizes the queue analysis performed at the intersection of Murray Boulevard & Applegate Drive as part of the Applegate Expansion. Fehr & Peers performed the following tasks as part of this analysis:

1. Used previously collected 2019 counts to estimate existing 2022 counts to analyze the queue lengths,
2. Updated trip generation in accordance with the most up-to-date site plan, and
3. Analyzed existing plus project conditions based on the combined existing 2022 and project trips.

Fehr & Peers found that 95th percentile queues at the intersection of Murray Boulevard & Applegate Drive are all less than one vehicle (less than 25 feet) for all eastbound and northbound left-turning movements in both the existing and the existing plus project conditions. Current storage lengths are sufficient to accommodate these queues and are anticipated to continue to accommodate these queues with the addition of Applegate expansion project trips.

Existing Conditions

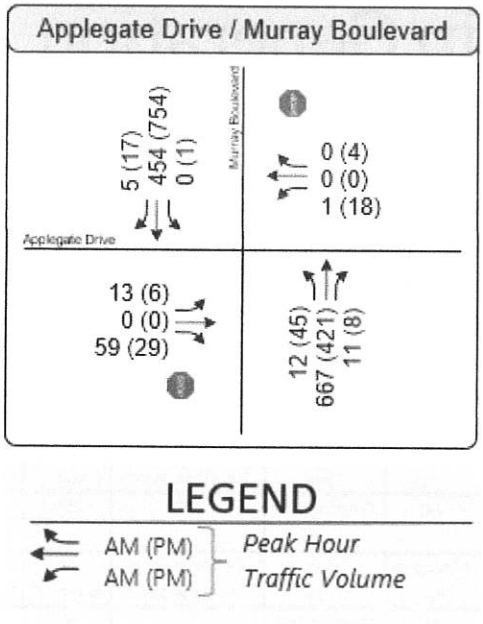
Fehr & Peers collected peak period turning movement counts (TMC) on Wednesday, April 15, 2019, at the intersection of Applegate Drive & Murray Boulevard and 24-hour tube counts on Applegate Drive between Murray Boulevard and Ben Davis Park on Thursday, June 9, 2022. The two count sources for the west leg of the intersection of Applegate Drive and Murray Boulevard are compared in Table 1, showing that the number of counted vehicles in 2022 is lower than the

number of counted vehicles in 2019. To avoid estimating negative growth for 2022 traffic conditions, Fehr & Peers used an annual growth rate of 0%, meaning the 2019 counts were used to represent 2022 existing traffic conditions. The volumes for the existing AM (7:30-8:30 AM) and PM (4:45-5:45) peak hours are shown in Figure 1.

Table 1: 2019 Turning Movement Count and 2022 24-hour Tube Count Comparison

Peak Period	Direction	2019 TMC	2022 Tube
7-9 AM	EB	117	69
	WB	30	16
4-6 PM	EB	75	65
	WB	123	94

Figure 1: Existing Conditions Volumes



Fehr & Peers used HCM 6 methodology to analyze queues at the intersection of Applegate Drive and Murray Blvd for both existing AM and PM peak hours. The queue analysis results are shown in Table 2, and the full Synchro reports are attached in the appendix. Note that queues for approaches entering or exiting the private driveway on the east leg of the intersection were not included. The results of the queuing analysis indicate that all studied movements have 95th percentile queues under one vehicle (or less than 25 feet), meaning that 95% of the time queues for each movement do not exceed one vehicle. The northbound left-turn pocket has a storage length of 50 feet, and the eastbound approach has sufficient width at the throat of the access (24

feet) to accommodate short eastbound left-turning and right-turning queues simultaneously. Existing storage space for each of these movements is sufficient to handle these queues.

Table 2: Existing Queue Analysis for Applegate Drive & Murray Boulevard

Movement	Period	95th Percentile Queue (veh)	95th Percentile Queue (ft)
Northbound Left-turns	AM	<1.0	<25
	PM	<1.0	<25
Eastbound Left-turns	AM	<1.0	<25
	PM	<1.0	<25
Eastbound Right-turns	AM	<1.0	<25
	PM	<1.0	<25

Project Trip Generation

The proposed project is a development of 44 townhomes. Fehr & Peers estimated the number of trips to be generated by this project based on rates published in the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition, 2022. The manual's documentation classifies townhouses under the land use code 215: Single-Family Attached Housing. The trip generation is shown in Table 3. The total AM trip generation is estimated to be 17 trips and the total PM trip generation is estimated to be 22 trips.

Table 3: Applegate Expansion Trip Generation

Land Use[1]	Number of Units	Unit Type	AM Peak Hour Trip Generation[2]	% Entering[3]	% Exiting[3]	Trips Entering	Trips Exiting	New AM Peak Hour Trips
Single-Family Attached Housing (215)	44	Dwelling Unit	17	25%	75%	4	13	17
Net Weekday AM Peak Hour Trips						**4**	**13**	**17**
Land Use[1]	Number of Units	Unit Type	PM Peak Hour Trip Generation[2]	% Entering[3]	% Exiting[3]	Trips Entering	Trips Exiting	New PM Peak Hour Trips
Single-Family Attached Housing (215)	44	Dwelling Unit	22	59%	41%	13	9	22
Net Weekday PM Peak Hour Trips						**13**	**9**	**22**

1. (XXX) Indicates ITE Land Use Code. Land Use Code from the Institute of Transportation Engineers - 11th Edition Trip Generation Manual (ITE Manual)
2. Traffic Generated by the development according to trip generation fitted curves provided in the ITE Manual
3. Percentage of trips Entering and Exiting the development according to the ITE Manual.

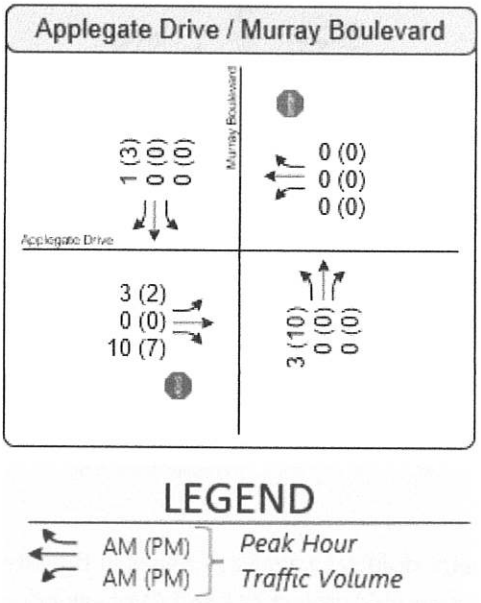
SOURCE: Fehr & Peers, 2022

Trips were distributed in the same proportion as in the original traffic study in 2019:

- 20% to/from the north via Murray Boulevard
- 80% to/from the south via Murray Boulevard

The resulting project trips at the intersection of Applegate Drive & Murray Boulevard are presented in Figure 2.

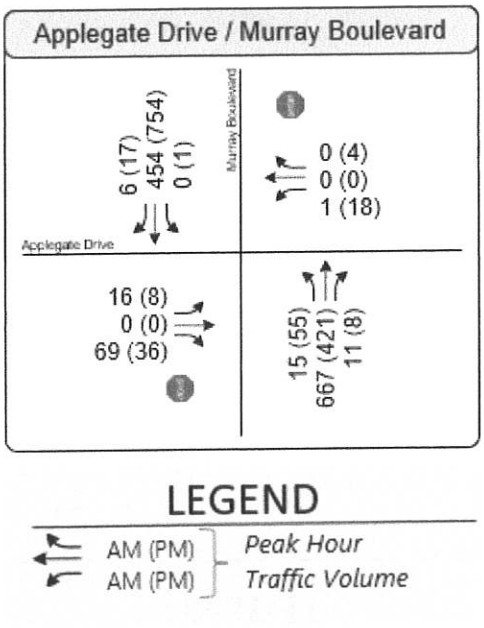
Figure 2: Project Volumes



Existing Plus Project

Fehr & Peers estimated the existing plus project volumes by adding the project trip generation volumes (Figure 2) to the existing volumes (Figure 1), as shown in Figure 3.

Figure 3: Existing Plus Project Volumes



Fehr & Peers used HCM 6 methodology to analyze queues at the intersection of Applegate Drive and Murray Blvd for both existing plus project AM and PM peak hours The queue analysis results are shown in Table 4, and the full Synchro reports are attached in the appendix. The results of the queuing analysis indicate that all studied movement have 95th percentile queues under one vehicle (or less than 25 feet), meaning that 95% of the time queues for each movement do not exceed one vehicle. Existing storage space for each of these movements is expected to be sufficient to handle these queues.

Table 4: Existing Plus Project Queue Analysis for Applegate Drive & Murray Boulevard

Movement	Period	95th Percentile Queue (veh)	95th Percentile Queue (ft)
Northbound Left-turns	AM	<1.0	<25
	PM	<1.0	<25
Eastbound Left-turns	AM	<1.0	<25
	PM	<1.0	<25
Eastbound Right-turns	AM	<1.0	<25
	PM	<1.0	<25

Conclusion

Fehr & Peers used TMC from 2019 and 24-hour tube counts from 2022 to estimate existing 2022 TMC at the intersection of Applegate Dr & Murray Blvd. These counts were used to perform a queue analysis for the intersection and found that in the existing conditions all 95th percentile queues were less than one vehicle. Fehr & Peers estimated traffic to be generated at this intersection due to the proposed addition of 44 townhomes and analyzed queues with the resulting traffic and found that projected 95th percentile queues were also less than one vehicle for each approach. Existing storage for these queues is expected to be sufficient for existing and existing-plus-project conditions.

Appendix: Synchro HCM 6 Reports

Intersection	
Int Delay, s/veh	1

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↰	↱		↔		↰	↑		↰	↑	↱
Traffic Vol, veh/h	13	0	59	1	0	0	12	667	11	0	454	5
Future Vol, veh/h	13	0	59	1	0	0	12	667	11	0	454	5
Conflicting Peds, #/hr	1	0	1	1	0	1	1	0	1	1	0	1
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	50	-	-	-	50	-	-	50	-	20
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	90	90	90	90	90	90	90	90	90	90	90	90
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	14	0	66	1	0	0	13	741	12	0	504	6

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1279	1285	506	1315	1285	749	511	0	0	754	0	0
Stage 1	505	505	-	774	774	-	-	-	-	-	-	-
Stage 2	774	780	-	541	511	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	143	165	566	135	165	412	1054	-	-	856	-	-
Stage 1	549	540	-	391	408	-	-	-	-	-	-	-
Stage 2	391	406	-	525	537	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	141	163	565	118	163	411	1053	-	-	855	-	-
Mov Cap-2 Maneuver	141	163	-	118	163	-	-	-	-	-	-	-
Stage 1	542	539	-	386	403	-	-	-	-	-	-	-
Stage 2	386	401	-	464	536	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	16	35.8	0.1	0
HCM LOS	C	E		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	EBLn2	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1053	-	-	141	565	118	855	-	-
HCM Lane V/C Ratio	0.013	-	-	0.102	0.116	0.009	-	-	-
HCM Control Delay (s)	8.5	-	-	33.4	12.2	35.8	0	-	-
HCM Lane LOS	A	-	-	D	B	E	A	-	-
HCM 95th %tile Q(veh)	0	-	-	0.3	0.4	0	0	-	-

Intersection	
Int Delay, s/veh	2.2

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	6	0	29	18	0	4	45	421	8	1	754	17
Future Vol, veh/h	6	0	29	18	0	4	45	421	8	1	754	17
Conflicting Peds, #/hr	3	0	2	1	0	2	2	0	1	2	0	3
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	50	-	-	-	50	-	-	50	-	20
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	80	80	80	80	80	80	80	80	80	80	80	80
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	8	0	36	23	0	5	56	526	10	1	943	21

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1597	1598	948	1621	1614	536	967	0	0	538	0	0
Stage 1	948	948	-	645	645	-	-	-	-	-	-	-
Stage 2	649	650	-	976	969	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	86	106	316	83	104	545	712	-	-	1030	-	-
Stage 1	313	339	-	461	467	-	-	-	-	-	-	-
Stage 2	458	465	-	302	332	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	80	97	314	69	95	542	710	-	-	1028	-	-
Mov Cap-2 Maneuver	80	97	-	69	95	-	-	-	-	-	-	-
Stage 1	287	338	-	424	429	-	-	-	-	-	-	-
Stage 2	417	427	-	266	331	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	24.3	69.6	1	0
HCM LOS	C	F		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	EBLn2	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	710	-	-	80	314	82	1028	-	-
HCM Lane V/C Ratio	0.079	-	-	0.094	0.115	0.335	0.001	-	-
HCM Control Delay (s)	10.5	-	-	54.6	18	69.6	8.5	-	-
HCM Lane LOS	B	-	-	F	C	F	A	-	-
HCM 95th %tile Q(veh)	0.3	-	-	0.3	0.4	1.3	0	-	-

Intersection	
Int Delay, s/veh	1.3

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↰	↱		↔		↰	↱		↰	↑	↱
Traffic Vol, veh/h	16	0	69	1	0	0	15	667	11	0	454	6
Future Vol, veh/h	16	0	69	1	0	0	15	667	11	0	454	6
Conflicting Peds, #/hr	1	0	1	1	0	1	1	0	1	1	0	1
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	50	-	-	-	50	-	-	50	-	20
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	90	90	90	90	90	90	90	90	90	90	90	90
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	18	0	77	1	0	0	17	741	12	0	504	7

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1287	1293	506	1329	1294	749	512	0	0	754	0	0
Stage 1	505	505	-	782	782	-	-	-	-	-	-	-
Stage 2	782	788	-	547	512	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	141	163	566	132	163	412	1053	-	-	856	-	-
Stage 1	549	540	-	387	405	-	-	-	-	-	-	-
Stage 2	387	402	-	521	536	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	139	160	565	112	160	411	1052	-	-	855	-	-
Mov Cap-2 Maneuver	139	160	-	112	160	-	-	-	-	-	-	-
Stage 1	540	539	-	380	398	-	-	-	-	-	-	-
Stage 2	380	395	-	450	535	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	16.6	37.5	0.2	0
HCM LOS	C	E		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	EBLn2	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1052	-	-	139	565	112	855	-	-
HCM Lane V/C Ratio	0.016	-	-	0.128	0.136	0.01	-	-	-
HCM Control Delay (s)	8.5	-	-	34.7	12.4	37.5	0	-	-
HCM Lane LOS	A	-	-	D	B	E	A	-	-
HCM 95th %tile Q(veh)	0	-	-	0.4	0.5	0	0	-	-

Intersection	
Int Delay, s/veh	2.6

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	8	0	36	18	0	4	55	421	8	1	754	20
Future Vol, veh/h	8	0	36	18	0	4	55	421	8	1	754	20
Conflicting Peds, #/hr	3	0	2	1	0	2	2	0	1	2	0	3
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	50	-	-	-	50	-	-	50	-	20
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	80	80	80	80	80	80	80	80	80	80	80	80
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	10	0	45	23	0	5	69	526	10	1	943	25

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1623	1624	948	1653	1644	536	971	0	0	538	0	0
Stage 1	948	948	-	671	671	-	-	-	-	-	-	-
Stage 2	675	676	-	982	973	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	82	102	316	78	100	545	710	-	-	1030	-	-
Stage 1	313	339	-	446	455	-	-	-	-	-	-	-
Stage 2	444	453	-	300	330	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	75	92	314	62	90	542	708	-	-	1028	-	-
Mov Cap-2 Maneuver	75	92	-	62	90	-	-	-	-	-	-	-
Stage 1	282	338	-	402	410	-	-	-	-	-	-	-
Stage 2	396	408	-	256	329	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	26	80	1.2	0
HCM LOS	D	F		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	EBLn2	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	708	-	-	75	314	74	1028	-	-
HCM Lane V/C Ratio	0.097	-	-	0.133	0.143	0.372	0.001	-	-
HCM Control Delay (s)	10.6	-	-	60.3	18.4	80	8.5	-	-
HCM Lane LOS	B	-	-	F	C	F	A	-	-
HCM 95th %tile Q(veh)	0.3	-	-	0.4	0.5	1.4	0	-	-

Agenda items 8 & 9
Applegate/Fuji

From:	Bruce Craig
To:	Planning Commission Comments
Cc:	brucecraig891@peoplepc.com
Subject:	Applegate LLC Subdividing inti two parcels located at 770West Applegate Drive Meeting Scheduled for June 15, 2023 @ 6:30pm
Date:	Saturday, June 3, 2023 8:44:43 PM

Dear Planning Commission; Dated 06/03/2023

In 2017 we had a bunch of new board members that were elected to our Applegate board, unrenowned to most all residents that they were a coupe members people that had bought multiple condos as rentals, with C.O.R.E. as our new Property Manager they were swayed to selling off some land to raise some money to help repair things around the complex, we had always used special assessments when doing so in the past had served on the board many times knowing what had to be done.

With the new board and C.O.R.E.property Management they convinced the board that we need so much money to do the repairs that scared them in to thinking that land had to be sold in order to make ANY REPAIRS WHATSOEVER .. is was and is called R & R's....there were mot enough votes to get it to go through so the board went door to door with Quinn (C.O.R.E. 's associate and Realtor knocking on doors and saying to residents that this was the answers to our prayers and solve so many problems, promising some no more condo fees, more amenities etc...BUT NOTING EVER ON PAPER, they's..the board and Qwinn would throw out a figure of 2 million dollars we could get but never told an exact amount and that in order to do this we had to move our cell tower... till last year we never knew how much that was and is in the $240.000/00 range and that we should cover that cost, so you take the $240,000.00 out of the 2 million dollars and were left with a million and a half and should this planned sale go through we would have to have new inlets, outlets, moved water, power, sewage etc...not to mention all disruptions of all of them in the process.

We already has WAY to much traffic, congestion, noise and beggars on the street, adding more in to this tight area would make it unbearable and ruin what little quality of life we have left, every nook and cranny of land around us has been crammed with more and more building and we need our breathing space which is what most all of us that live bought our homes hear and now that is being forced out of our hands by peoples greed for our land at almost free and taking control of land we should lease and control for Applegate ...NOT BUILDERS AND PROPERTY MANAGEMENTS to weasel away from us and never inform us of when meeting such as this come up and previous Applegae meeting are always cancelled prior to ant knowledge of such preceding, it's always a surprise to get a notice in the mail a few days prior.

With one vote on this matter over 5 yrs. ago and so many residents that have moved in-out and developers changing and nothing being on paper this matter should be dead and gone, there has never been a Applegate meeting stating what monies, criteria ongoing of who and what are be done, who's paying for what and what amounts we are to receive, IT'S BEEN NOTHING BUT VERBALE THIS AND THAT, AND I HAVE REQUESTED OVER AND OVER PUT IT ON PAPER AND MAKE IT LEGAL AND DISTRIBUTE TO EACH AND EVERY OWNER... BUT IT NEVER HAS BEE DONE IN OVER 5 PLUS YEARS NOW... it's all in their court to bargain away our land and rights with nothing on paper to protect US AND OUR PROPERTY.....WE BEING SHANGHAI'D AND MURRAY CITY IS LETTING THEM GET AWAY WITH IT....!

In the last 2 years our board and C.O.R.E. have done an $800 assessment, a $500 assessment taken cable T.V. out of our amenities with no replacement or reduction in our fees and then January 1st 2023 raised our condo fees 20%.. and yet nothing is being done to this so called sale goes through...we have be taken hostage and being forced in to this...it needs to be null and voided once and for all !

Applegate Resident since 1990
Bruce Craig
5365 So. Baldwin Park
Murray, Utah 84123-4501
Ph: 385-267-2223

Applegate/ Fuji Townhomes Public Comments via telephone

6/6/23 - David Schneider, 793 W Clover Meadow Drive. Inquired regarding which entity is the applicant? Reasons for proposal of private road vs public road? Who will share amenities? It was explained to Mr. Schneider the city staff is proposing a second emergency access gate at the Spring Clover connection. He indicated that is a good solution given the proposed gate off Murray Blvd.

6/7/23 – Linda Soldan, 5110 S Daisy Lane, called for further explanation of the proposed project. She expressed concern regarding added traffic to the area and heights of the structures.

Schedule 3

Memorandum from City engineer

MURRAY CITY CORPORATION
PUBLIC WORKS

MEMORANDUM

To: Murray City Planning Commission

Cc: Russ Kakala, Public Works Director
Doug Hill, Chief Administrative Officer
G.L., City Attorney
Jared Hall, Community and Economic Development Director
Joey Mittelman, Fire Chief
Jeff Puls – Fire Marshal
Craig Burnett, Police Chief
Doug Roberts, Assistant Police Chief
Susan Nixon, Senior Planner

From: Trae Stokes, City Engineer

Date: June 6, 2023

Re: Fuji Townhomes – Applegate Amended Subdivision

The Fuji Townhome applicant is proposing a newly aligned **private** street through the Applegate community that connects to Spring Clover Drive on the west as a secondary access and maintains the primary access to Murray Blvd. on the east – see attached layout. The applicant is also proposing a gate just west of Baldwin Park on Applegate Drive to prevent through traffic use of the private street. This proposal would allow Applegate and Fuji residents to have full access to both Spring Clover and Murray Blvd., but through use for all other traffic would be restricted by the proposed gate. While it's usually desirable to connect neighborhoods for improved two-way traffic circulation, the proposed private street with a gate prohibits circulation. The proposed street connection to Spring Clover will also push additional traffic into the neighborhood west and north of the development. Several streets in the neighborhood are already plagued with traffic and speeding issues, so pushing more traffic into the area is undesirable. To prevent additional traffic being pushed in the neighborhood to the west, I am recommending that the Spring Clover access be limited to a gated emergency access only. The gate will need to meet all fire code requirements for a secondary two-way emergency access and be controlled by Murray Fire Department.

Engineering Staff has reviewed and evaluated traffic data and counts provided in the project traffic impact and queue studies. Based on the unit counts, trip generation, traffic counts, and field observations, we're confident that level of service of the intersections evaluated in the studies will not decrease due to the proposed 42 units,

regardless of how the secondary Spring Clover access is configured. We also think the intersection of Applegate and Murray Blvd. will continue to function in a similar fashion with only minor delays in the PM peak for eastbound drivers when southbound drivers don't comply with the "KEEP CLEAR" message painted at the intersection on Murray Blvd.

After much scrutiny and deliberations with City Staff, I think the secondary emergency access at Spring Clover is the best approach for the existing Applegate Community, the proposed Fuji Townhome development and the surrounding neighborhoods. Furthermore, engineering evaluation of the primary access and Fire Department acceptance of the secondary emergency access should meet the requirements of City Code, Section 16.16.170 3. C. & D. for the proposed 42 units.

Thank You,
Trae Stokes, P.E.

Schedule 4

Excerpt from 2021 Murray City Transportation Master Plan

Murray's Functional Class:

Table 2-6 shows Murray's roadway classification from the city's engineering specifications and requirements document which was amended May 2019. Trip length, design speed, lane width and average daily trips are all part of the equation necessary to properly determine a roadway's best classification.

Table 2-7 below shows general characteristics for each classification such as whether parking is allowed and what percentage of a city's surface street system is made up of a specific roadway classification. The table indicates that the majority of roadways in a typical city are residential.

Table 2-6: Murray roadway classification table

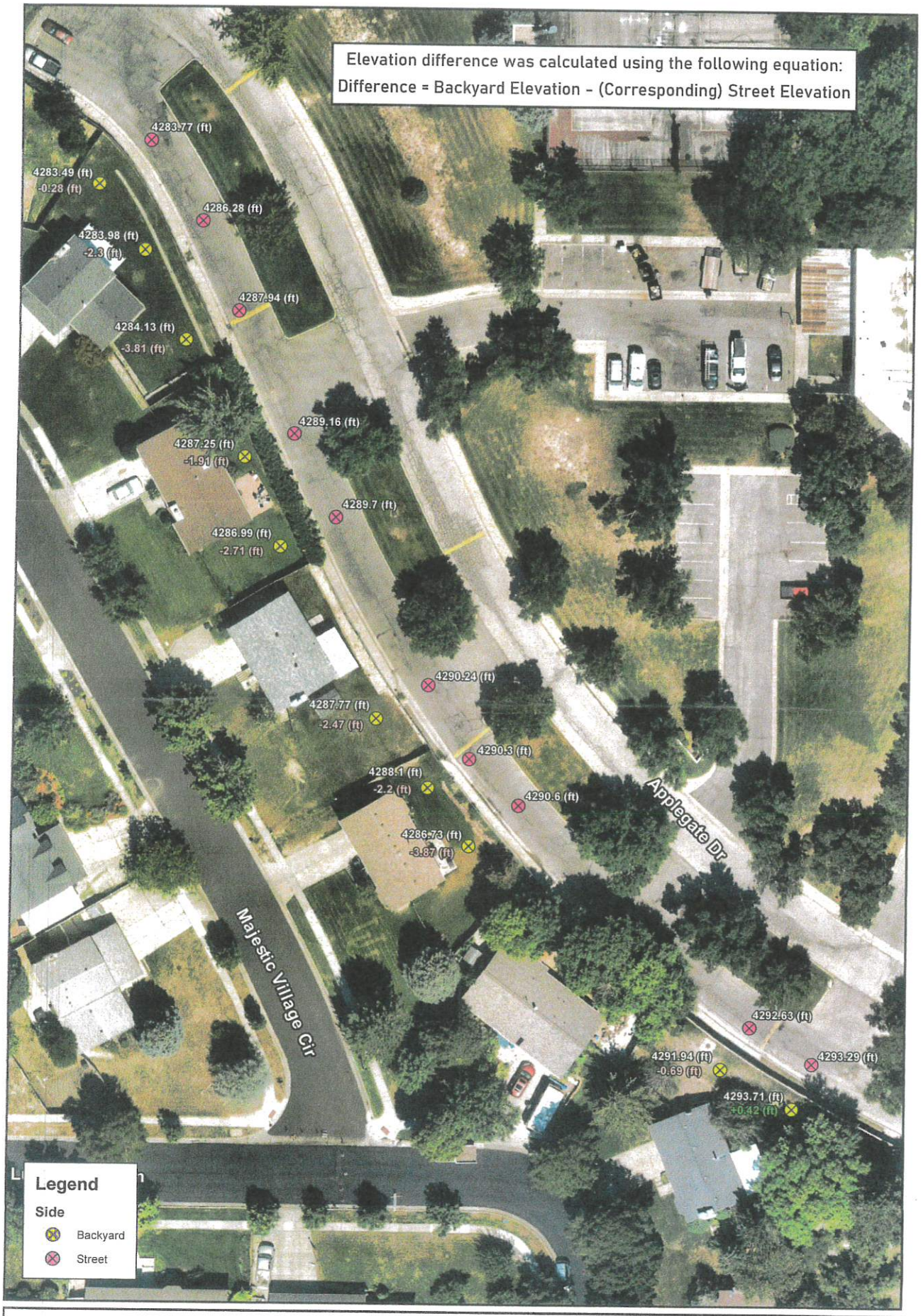
Murray Roadway Classification	Use		Dimensions		Volume
	Trip Length (Miles)	Design Speed (MPH)	Lane Width(Feet)	Number of Lanes	Average Daily Trips (ADT in Thousands)
Freeway	>5	>65	12	6 - 8	80
Major Arterial	1 - 2	45 - 55	12	6	15 - 50
Minor Arterial	>1	40 - 45	12	3 - 5	10 - 25
Major Collector	1	30 - 40	12	2 - 5	3.5 - 10
Minor Collector	1	25 - 35	11 - 12	2 - 3	1.5 - 3.5
Local Street	<1	20 - 30	10 - 12	2	<1.5

Table 2-7: Elements of functional classification table

	General Characteristics of Functional Classification			
	Freeway & Expressway	Arterial	Collector	Residential Street
Function	Traffic movement	Traffic movement, land access	Collect & distribute traffic between streets & arterials, land access	Land Access
Typical % of Surface Street System	Not applicable	5 - 10%	10-20%	60-80%
Continuity	Continuous	Continuous	Continuous	None
Spacing	See City's Engineering Standards and Specifications			
Typical % of Surface Street System Vehicle Miles Carried	Not applicable	40 - 65%	10-20%	10-25%
Direct Land Access	None	Limited: Major generators only	Restricted: Some movements prohibited; number & spacing of driveways controlled	Safety controls access
Minimum Roadway Intersection Spacing	See City's Engineering Standards and Specifications			
Speed Limit	See City's Engineering Standards and Specifications			
Parking	Prohibited	Discouraged	Limited	Allowed
Comments	Supplements capacity of arterial street system & provides high-speed mobility	Backbone of Street System		Through traffic should be discouraged

Schedule 5

City Staff Exhibit
GIS Measured Elevation Change



MURRAY

Murray City GIS Division
4646 South 500 West
Murray, Utah 84123
2023-CED-002 ll 2/28/2023

Applegate Subdivision Elevation Analysis

Aerial Imagery and Point Selection

© Copyright 2022, Murray City Map Disclaimer:
http://www.murray.utah.gov/1605 The above information while not guaranteed has been secured from sources deemed reliable.

N

0 25 50 Feet

Attachment B

APPEAL OF A LAND USE DECISION

(Case No. 1607; Project No. 23-086)
(September 13, 2023)

Appellant:	Applegate LLC
Land Use Authority Decision:	Planning Commission
Request:	Appeal of Several Conditions Imposed by the Planning Commission Pursuant to Subdivision/CUP Review
Prepared By:	Murray City Attorney's Office

I. BACKGROUND

Applegate Condominiums is an existing 172-unit condominium development situated on a 23.7-acre site located on the west side of 700 West and on the north side of 5400 South.[1] Applegate LLC ("Appellant") proposes to amend the Applegate Condominiums Subdivision to remove 5.11 acres of open space to create a single lot to be developed by Fuji Townhomes.[2]

Appellant proposes a 42-unit multi-family rental townhouse facility on the 5.11-acre parcel. Section 17.120.030 of the Murray City Land Use Code requires conditional use permit approval by the planning commission for multi-family dwellings.[3]

On June 15, 2023, the Planning Commission combined its consideration of the preliminary and final subdivision applications and conditional use permit into one meeting and one discussion. The applications were approved subject to approximately 63 conditions. Appellant appeals the Planning Commission imposition of seven of those conditions.

This appeal should be denied. Appellant cannot show that the decision of the Planning Commission was arbitrary and capricious, or illegal.

II. LEGAL STANDARDS

A. SUBSTANTIAL EVIDENCE

"A decision is arbitrary and capricious when it is not supported by substantial evidence in the record." LJ Mascaro Inc. v. Herriman City, 2018 UT App 127. State code requires that there be "substantial evidence for each essential finding of fact." UCA §10-9a-707(3) (emphasis added).

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[1]Staff Report, "AGENDA ITEM #8 & 9 – Applegate Condominiums Amended and Fuji Townhomes," page 3.
[2] Id.
[3] Staff Report, Cover Page under "REQUEST."

Substantial evidence is “that quantum and quality of relevant evidence that is adequate to convince a reasonable mind to support a conclusion.” Bradley v. Payson City Corp, 2003 UT 16. Substantial evidence only requires enough evidence for a reasonable person using it to support a conclusion, whether or not other reasonable persons would disagree. At its most basic, “the statutory phrase ‘substantial evidence’ is a ‘term of art’ which includes within its meaning the requirement ‘that localities must provide reasons’ when they make adjudicative determinations.” McElhaney v. City of Moab, 2017 UT 65.

The Utah public clamor doctrine states that while “there is no impropriety in the solicitation of or reliance on the advice of neighboring landowners, the consent of neighboring landowners may not be made a criterion for the issuance or denial of a conditional use permit.” Thurston v. Cache County, 626 P.2d 440, 445 (Utah 1981).

B. CONDITIONAL USES AND PROPERTY RIGHTS

The Utah Municipal Land Use Development and Management Act directs that conditional uses “shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards. The requirement . . . to reasonably mitigate anticipated detrimental effects of the proposed conditional use does not require elimination of the detrimental effects.” UCA §10-9a-507(2)(a)(i) and (ii) (emphasis added).

Utah courts have been “mindful of Utah’s long-standing principle that because zoning ordinances are in derogation of a property owner’s common-law right to unrestricted use of his or her property, provisions therein restricting property uses should be strictly construed, and provisions permitting property uses should be liberally construed in favor of the property owner.” Patterson v. Utah County Board of Adjustment, 893 P.2d 602, 606 (Utah Ct. App. 1995) (internal citations omitted).

Section 17.56.060(D) of the City Code authorizes the planning commission to “impose conditions on the issuance of a conditional use permit including, but not limited to, limitations on the size or shape of buildings; dedication, relocation, and/or development of streets; installation and up sizing of utility mains, screening or landscaping to protect adjacent properties; the elimination or relocation of windows or doors to protect the public and adjacent property from the detrimental features of the proposed use; or the requirement of additional parking, or other changes not inconsistent with this subsection.”

C. SUBDIVISION APPROVAL

Sections 16.04.040(F) and 16.12.07 of the City Code require subdivision of property to be reviewed by and approved by the Murray City Planning Commission as the Land Use Authority.

III. ARGUMENT

The record contains substantial evidence to support the Planning Commission imposing the challenged conditions.

A. **Condition: Emergency Only Access Gate at Spring Clover Drive.**

CUP Condition:	1(i) Provide emergency only access gate meeting Fire Department requirements at Fuji connection to Spring Clover Drive.
Subdivision:	1(o) Provide emergency only access gate meeting Fire Department requirements at Fuji connection to Spring Clover Drive.

In this case, Murray City's planning commission's decision to impose the emergency only access gate is supported by substantial evidence and is therefore not arbitrary and capricious. Additionally, it is a reasonable condition of subdivision approval as set forth below.

Appellant is required to provide "access to at least two (2) existing . . . streets."[4] Currently, Applegate Condominiums has one[5] access (Applegate Drive) located on the east side of the development that joins onto 700 West. Applegate Drive is a private right of way and Appellant will keep it private while reducing the width of the asphalt and realigning the street. At this one existing access point – Applegate Drive and 700 West – Appellant proposes to install a security gate accessible only by Applegate Condominium and the proposed Fuji Townhome residents, visitors, and emergency vehicles with the use of a key, keycode, or transponder. [4]

The city engineer acknowledgers that *based on the intersections evaluated* in the Appellant's traffic study, namely Murray Boulevard and 5300 South, Murray Boulevard and Applegate Drive, and College Drive and 5300 South[6], the traffic impacts generated from the Project will not detrimentally impact the *level of service of these intersections.*

To comply with the two-access requirement, Appellant proposes to connect Applegate Drive to Spring Clover Drive on the west of the development. The City's engineering division has reviewed Appellant's traffic study and concluded that the traffic traveling west onto Spring Clover will exacerbate the existing traffic and safety issues. He acknowledges that the level of service *of the intersections* will not decrease due to the proposed 42 units, [6] but also concludes that there will be an impact on adjacent neighborhoods roads.[7]

A gate accessible only to emergency vehicles and to utilities at the Spring Clover access point will mitigate the detrimental effects caused by increased traffic from Applegate Drive that would otherwise use local streets Spring Clover Drive.[8] Planning Commissioner Nay added his

[4] Murray City Code Section 16.16.170(2). Staff report, page 4.
[5] Applegate Condominiums was developed in the 1970s before the City required at least two accesses for multi-family developments over 100 units. (Transcript page 5:18-23.)
[6] Traffic Study, Table ES-1 LEVEL OF SERVICE RESULTS SUMMARY
[7] City Engineer Memorandum; Staff Report pages 5 & 7 Transcript page 38:4-39; 54:5
[8] City Engineer's Memorandum dated June 6, 2023. See also PC Transcript, Page 37 – line 21 through Page 40, line 11.

personal observations of the impact of adding to busy streets on a nearby elementary school.[9] Existing traffic concerns including eyewitness accounts of current traffic congestion in the area were given by the public at the planning commission meeting.[10]

The engineering division's memorandum and comments, commissioner Nay's comments and the public comments of existing traffic congestion and safety concerns support the conclusion that there is substantial evidence in the record to support the planning commission condition of an emergency only access gate.

B. **Condition: The 8-foot-high solid wall**

CUP	7	The applicant shall install an 8' solid masonry wall adjacent to all single-family dwellings.
Subdivision	6	The applicant shall install an 8-foot-high solid wall adjacent to any single-family dwellings and must be installed prior to any construction of any new dwellings.

The planning commission considered and adopted concerns with the detrimental impact of limiting the Appellant's fence to a 6-foot vinyl fence. The City has imposed this condition on past developments[11] and has identified through experience that vinyl fences are not as stable or durable as masonry walls. Additionally, due to the grade differential, the existing neighborhood homes being lower than the proposed development, the planning commission included in the condition that the height of the masonry wall be 8 feet. This provides a better buffer from the visual and sound impacts of the proposed neighboring development.

Appellant concedes that the planning commission can require additional screening[12] but (speaking of sight and sound screening) argues that "there really isn't a difference, given the nature of the neighborhood and the existing Applegate development, between masonry and vinyl."[13] The City's experience is that there is a great difference.[14] There is substantial evidence in the record supporting an additional two feet of screening and more solid material.

C. **Condition: DETENTION BASIN not to be used as a DOG PARK**:

CUP	9	The applicant shall remove the dog park from the detention basin (also repeated in error as condition 1(d)).

[9] PC Transcript, Page 23, lines 2 – 24
[10] See PC Transcript, Chapel Comments on Page 45, line17 and page 47, lines 7-10; Parker comments on Pag48, lines 23 – Page 48, lines 14-20; Schneider comments on page 53, line 13 through page 54, line 18; and Rossi comments on Page 59, lines 5 and 6 and on Page 60 lines 6-25.
[11] Staff Report Page7("Impacts on surrounding properties"); Transcript Page 27:3 through page 30:9; 91:8-91:5
[12] Transcript 25:16.
[13] Transcript 26:11-19.
[14] See Note 11.

This condition was imposed as the planning commission agreed that the detrimental impact of poor water quality outweighs Appellant's desire to use the required stormwater detention basin for a dog park. The City is responsible to residents of the state and is permitted by the state of Utah to ensure stormwater quality. Allowing Appellant to introduce dog waste into the stormwater system that ultimately drains into the Jordan River would be too great a detrimental impact. Appellant's suggested mitigation efforts should be viewed in light of the fact that the connection between the detention basin stormwater and its collecting into the Jordan River was unknown to Appellant.[15]

D. **Condition: NAME OF STREET**

Subdivision 1(c) Meet Salt Lake County addressing requirements for street name and unit addressing – Fuji Avenue needs to be changed to Fuji Way or Fuji Drive.

The portion of this condition relating to alternative street names "Fuji Way" or "Fuji Drive" was misunderstood by Appellant. The condition is that Appellant communicate with Salt Lake County to ensure the proper naming of Appellant's street. The condition is not to name the street "Fuji Way" or "Fuji Drive" but to alert the Appellant to the County's insistence that the word "Avenue" does not apply to Appellant's street. According to Salt Lake County the Appellant cannot use the word "Avenue" in its name. Rather, the County will require it to use either "Way" or "Drive" with whatever name Appellant chooses. Any confusion experienced by the Appellant was not intended.

E. **Condition PROPERTY LINE DISCREPANCIES**

Subdivision 1(g) Recommendation – work with the property owners at 5313 South Majestic Village Cir. and 839 West Spring Clover Dr. to clean up the property line discrepancies.

This "condition" is again not a condition of approval. Rather it is included as a courtesy to Appellant. It is not an uncommon practice for cities to alert Appellants to potential development delays even though the authority to cause the delay does not lie with the city. Here, where neighbors apparently believe that there are property line discrepancies, Appellant should note that the applications have not been delayed and have been improved despite this information being relayed to the City. The City does not, as here, involve itself in private property boundary disputes. There is nothing in law or practice that prohibits the City from alerting Appellant to a potential conflict in its development even if placed within the conditions.

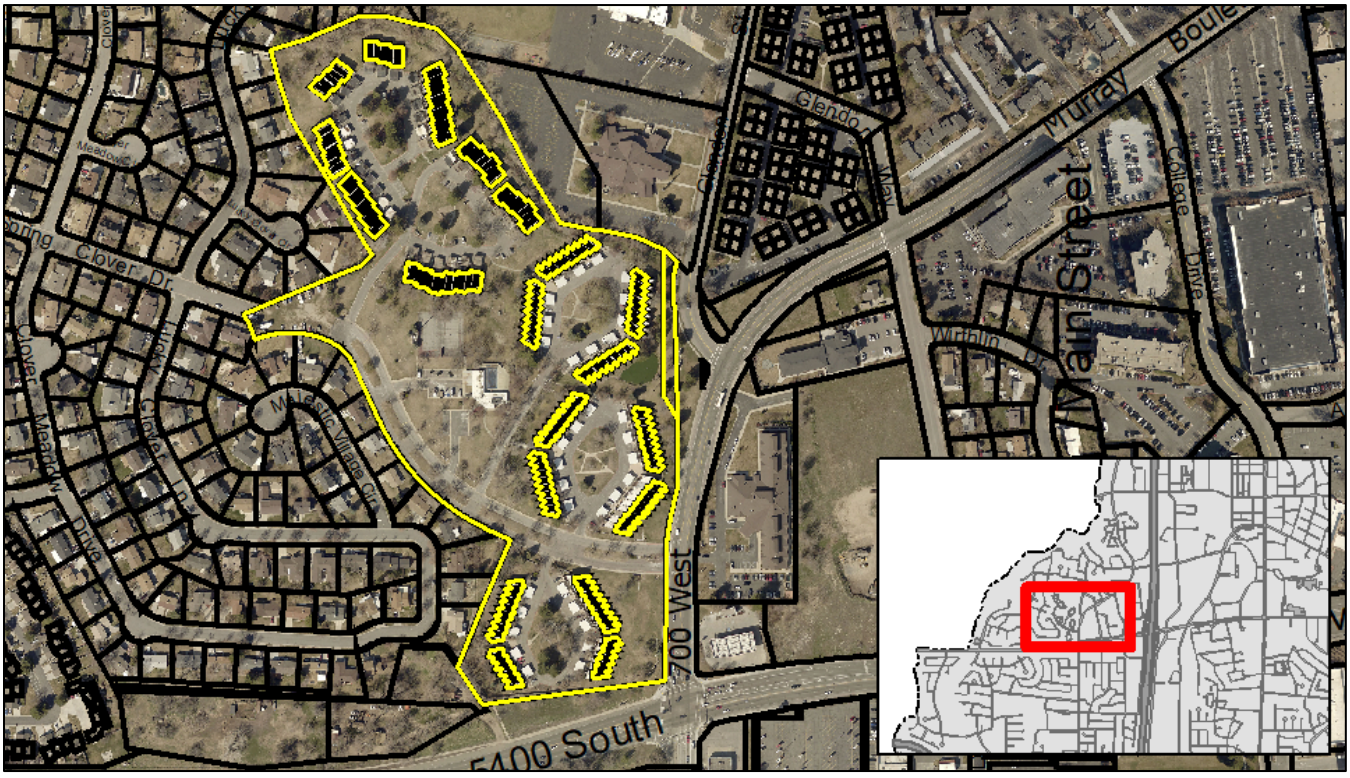
IV. CONCLUSION.

[15] Transcript 33:3-10. 37:1-11.

The burden of proof is upon Appellant to show that there was not substantial evidence in the record for the Planning Commission to impose the challenged conditions. Appellant is unable to meet this burden. Rather, the record shows that the Planning Commission relied on the substantial evidence in the record to make this decision.

Attachment C

AGENDA ITEM #8 & 9 - Applegate Condominiums Amended and Fuji Townhomes			
ITEM TYPE:	Subdivision Approval, Amended Plat and Conditional Use to allow Multi-Family		
ADDRESS:	770 West Applegate Drive	**MEETING DATE:**	June 15, 2023
APPLICANT:	Applegate HOA	**STAFF:**	Susan Nixon, Senior Planner
PARCEL ID:	22-11-478-174	**PROJECT NUMBER:**	23-052 23-054
ZONE:	R-M-15	**Land Use:**	1131
SIZE:	23.7 total acres | 5.11 acre proposed lot | 42 Units | 8.2 units/acre		
REQUEST:	Agenda Item #8- Preliminary and Final Subdivision Approval to amend the existing Applegate Condominiums, creating a new and separate 5.11-acre parcel for further residential development. Agenda item #9- Conditional Use Permit approval for a 42-unit rental townhouse project to be constructed on the new 5.11-acre parcel.		



I. LAND USE ORDINANCE

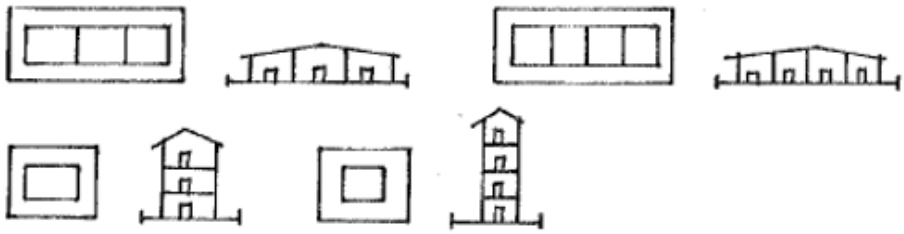
Title 16, Subdivision Ordinance, Section 16.04.040(F) and 16.12.070 require the subdivision of property to be reviewed and approved by the Murray City Planning Commission as the Land Use Authority.

The proposed subdivision has been designed to meet the requirements of the R-M-15 Zone, and to facilitate the withdrawal of property from the existing Condominiums in order to construct a 42-unit multi-family development.

Section 17.120.030 of the Murray City Land Use Ordinance requires that Multiple-family dwelling (#LU1131) developments receive Conditional Use approval by the Planning Commission.

17.120.030: CONDITIONAL USES:

1131	Multiple-family dwelling.



Murray City Standard Land Use Code defines #1131 as: "Multiple-family dwelling containing three or four family residences, detached (on one parcel, with or without attached garage.)"

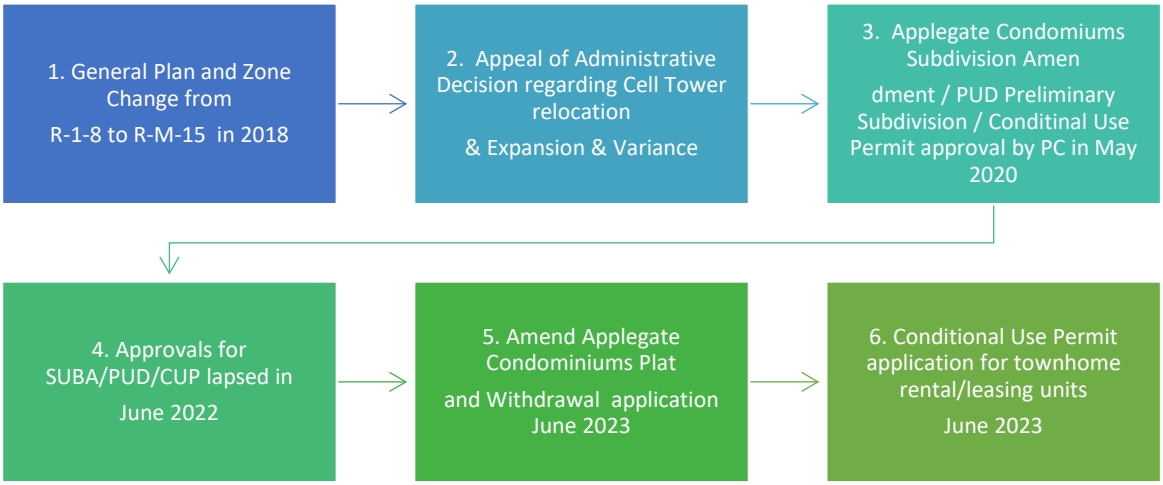
II. BACKGROUND

History and Process

Applegate LLC proposes a new multi-family project containing forty-two (42) townhome style units to be constructed on a new 5.11-acre parcel of property which is currently associated with the Applegate Condominiums. In 2018, the City Council approved a General Plan and Zone Map Amendment from R-1-8 to R-M-15. In 2019, an appeal to the Hearing Officer was made on an administrative decision regarding the cellular tower's nonconforming status. An expansion of nonconforming structure and variance was also granted by the Murray City Hearing Officer. In May of 2020, the Planning Commission granted Preliminary & Final Subdivision Amendment to the Applegate Condominiums, Preliminary Planned Unit Subdivision approval for 48 individually owned townhomes, and Conditional Use Permit approval for Applegate Townhomes PUD. The Applegate Condominiums Amended Plat was not recorded within the one-year time limit and the approval lapsed. The CUP approval was voided in June 2022 after no substantial work had taken place for a period of two years.

The current requests are for an amendment to the Applegate Condominiums to create the 5.11-acre lot/parcel and for a Conditional Use Permit to allow a multi-family rental project. These applications are substantially different from the 2020 and January 2023 applications. Planning Division Staff has determined that for the clearest review of these projects they are best combined into one staff report with the exception of the report sections for City Department Review, Findings, and Recommendations.

Staff has outlined the history for this property below:



Project Location

The subject property is the existing, 172-unit Applegate Condominiums, located on a 23.7-acre site on the west side of 700 West and north side of 5400 South. The Subdivision Amendment will create a 5.11-acre parcel from a portion of the existing Applegate Condominiums' common open space.

Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Single-Family Residential & Quasi-Public	R-1-8
South	Multi-Family Townhomes (across 5400 South)	R-M-15 & R-1-8
East	Assisted Living	C-N
West	Single-Family Residential	R-1-8

Project Description & Review

Creation of the Parcel for Withdrawal: The Applegate Condominiums Amended Subdivision is proposed in order to withdraw 5.11 acres from the condominium and create a single lot that can be sold for further development. The parcel will be created from land that is currently open space, owned in common by all members of the Applegate Condominiums Homeowner's Association (HOA). The withdrawal and sale of the property does not impact the private ownership of any of the existing condominium units. The subdivision amendment

will include the realignment of Applegate Drive and allow it to connect to Spring Clover Drive.

Amended Condominium Declaration: The amended subdivision requires an amended Condominium Declaration. The Condominium Declaration, (hereafter referred to as the "Declaration") is the shorthand for the Declaration of Covenants, Conditions, Restrictions and By-Laws that accompany a condominium subdivision project – in this case, the Applegate Condominiums. Among other things, the Declaration describes those portions of the property that are held in common, limited common, and private ownership, and controls the maintenance and disposition of those common and limited common areas. As described above, the proposed amended plat will modify the amount of land held in common by the HOA. The amendment to the Declaration will allow this modification, re-delineate the amount of commonly held property, and enable the HOA management to declare the new parcel as "excess" and negotiate its sale.

Conditional Use Permit: The applicant proposes to construct forty-two (42) townhomes to be rented under a single ownership. The forty-two (42) units will front on a private access that connects Applegate and Spring Clover Drives. The proposed development requires Conditional Use approval by the Planning Commission.

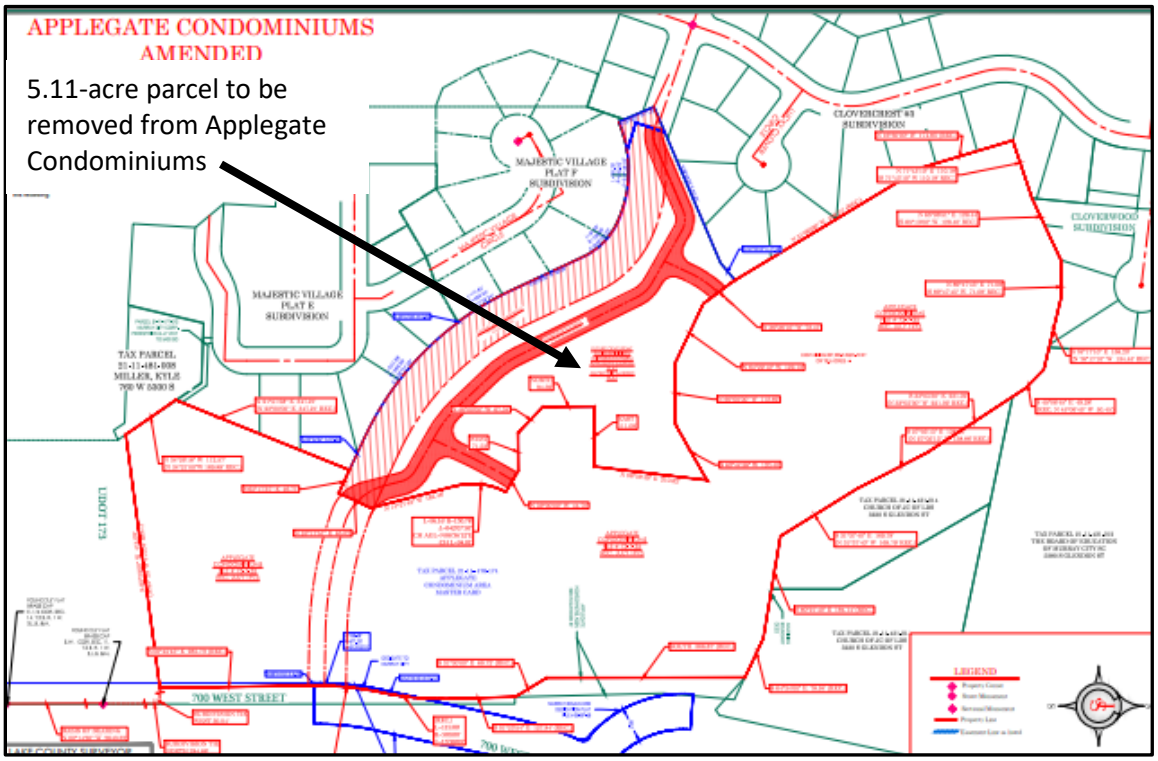


Exhibit: Applegate Amended

Access: Subdivision Code Section 16.16.170(2) states:" Multiple-Family Dwellings: Any residential subdivision development of more than one hundred (100) multiple-family dwellings shall have access to at least two (2) existing or proposed streets."

The applicant has proposed to have an access gate on Applegate Drive from Murray Boulevard at the Applegate Drive/Fuji Avenue connection noting "Ingress and egress both require key,

keycode, or transponder for entry. (See Site Plan C-5). Fuji and Applegate residents and guest and emergency vehicles access only." Also noted on the Site Plan is "Install fire apparatus access gate according to International Fire code IFC. (D103.5 Fire Apparatus Access Road Gates.

It is the City's opinion that the operation of the proposed east gate and the street connection to Spring Clover will push additional traffic into the neighborhood west and north of the development. Several streets in the neighborhood are already plagued with traffic and speeding issues, so pushing more traffic into the area is undesirable. To prevent additional traffic being pushed in the neighborhood to the west, the City Engineer is recommending that the Spring Clover access be limited to gated emergency access only. The gate will need to meet all fire code requirements for a secondary two-way emergency access and be controlled by Murray Fire Department. The gate is to be installed by the developer.

The existing property has historically been served by Applegate Drive alone, which currently runs north and west through the property from 700 West (aka Murray Boulevard.) In order to meet the requirements of Section 16.16.170(2) the applicant has proposed to connect Applegate Drive to Spring Clover Drive at the west. Applegate Drive will also be realigned to the north (and renamed "Fuji Avenue") away from the subdivision boundary and will connect to Spring Clover Drive at the west. The existing Applegate Drive will remain in service until the new "Fuji Avenue" alignment is completely installed. After Fuji Avenue is installed, construction of the units will begin.

There are several smaller private lanes that lead from Applegate Drive to provide looped accesses to the existing condominium units which will remain. Applegate Drive/Fuji Avenue will be reduced to 43' (inside back of sidewalk to inside back of sidewalk.) The right-of-way improvements will consist of six-foot (6') sidewalks, two-and-a-half-foot (2.5') rolled curb and gutter and twenty-six feet (26') of vehicular hard surface. No park strip is proposed.

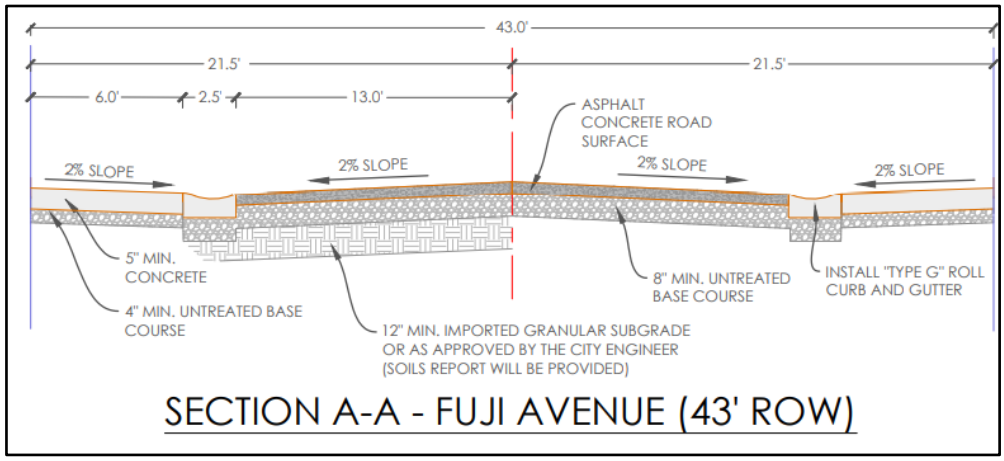
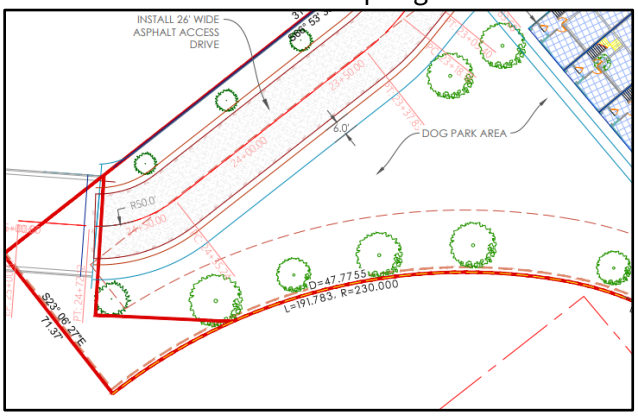


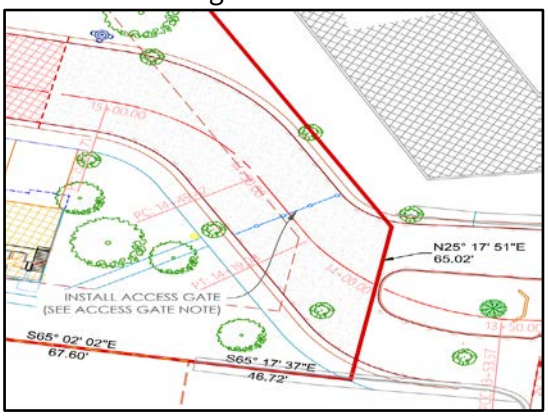
Exhibit: private road specifications

With the increased number of units, additional access to public rights-of-way was required by City Engineering standards and the Fire Department. To address those concerns, the applicants have proposed the following changes:

- Fuji Avenue – will remain private but will be modified, realigned to the north, and connected to Spring Clover Drive at the west end. See figure below:

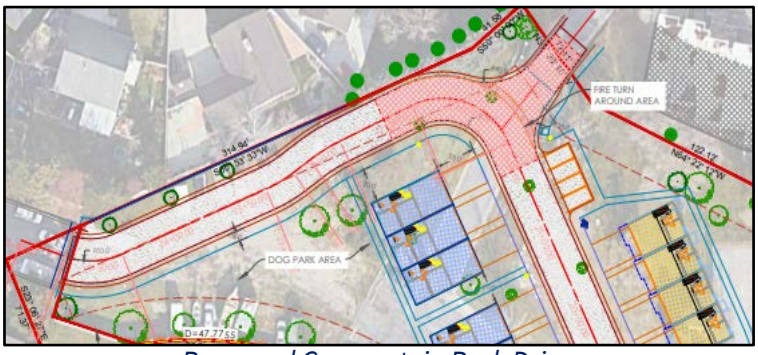


Fuji Ave connection to Spring Clover



Fuji Ave realignment with Applegate Drive showing access gate.

- Proposed Gravenstein Park will continue to connect to the units to the north but will be shortened with the realignment of Applegate Drive/Fuji Avenue. See figure below:



Proposed Gravenstein Park Drive

Existing Gravenstein Park Drive

- Pedestrian Access – Pedestrian access is important throughout the project. Sidewalks to connect new townhomes to the larger project have been provided on Applegate Drive as well as on Rome Beauty Park. The sidewalk system will also allow a pedestrian connection through the southwest end of the project to Spring Clover Drive and the sidewalk should be extended on at least one side of the private access on Gravenstein Park.
- Vehicular Access & Utility Easements – Vehicular access and utility easements for the existing properties in the condominium will be relocated to coincide with the new alignment of Applegate Drive/Fuji Avenue. The applicant has provided a copy of the Reciprocal Easement and Maintenance Agreement between Applegate Homeowners Association (HOA) ("Association") and Applegate LLC ("Owner") which addresses the shared access rights for the private right-of-way, utility easements, the existing clubhouse and pool and future sports courts, tot lot/playground, and barbecue pavilion area amenities.
- As noted on the Site Plan (C-5), the applicant has proposed to have an access gate on Applegate Drive from Murray Boulevard at the Applegate Drive/Fuji Avenue connection noting "Ingress and egress both require key, keycode, or transponder for entry. Fuji

and Applegate residents and guest and emergency vehicles access only." Also noted on the Site Plan is "Install fire apparatus access gate according to International Fire code IFC. (D103.5 Fire Apparatus Access Road Gates."

- Connection to Spring Clover – The applicant has indicated the road connection of Fuji Avenue to Spring Clover Drive will not include a gate. However, the Murray City Planning Staff in conjunction with the Fire and Engineering Departments are recommending a secondary emergency access gate be installed at this connection and is controlled solely by Murray City. Attached is a memo from the City Engineer further explaining the reason for this requirement. This access will provide the secondary emergency access requirement per city code and will also provide for maintenance of sewer cleanouts. The applicant will also need to dedicate a triangular piece of property that currently extends into Spring Clover Drive to Murray City.

- Impacts on surrounding properties – The applicant has proposed a 6' high vinyl fence as the buffer between the proposed project and the adjacent single-family residential area. Staff suggests that a solid 8' masonry wall be installed. It has been the practice where a multi-family project abuts a single-family residential neighborhood that an 8' foot high masonry wall be required. Experience with previous projects has shown that vinyl fences are not as stable or durable and solid masonry walls last much longer and provides a better visual impact on the adjacent neighbors with the change in grades. Requiring an emergency access gate at the Spring Clover connection will mitigate additional traffic impacts to the residential neighborhood to the west and will mitigate any additional traffic congestion at the Murray Boulevard 5300 South intersection.

- The Fire Department has indicated with the narrowness of the relocated right-of-way, "No Parking" signs should be posted and enforced by the project's management.

Traffic Impact Study: A full Traffic Impact Study (TIS) was conducted in 2019. Updates to this study were performed in July of 2022 and December 2022 in conjunction with the applications. The TIS analyzes traffic operations at key intersections for existing conditions with and without the proposed project, including Applegate Drive/Murray Boulevard and intersections at 5400 South & 700 West and 5300 South & College Drive.

The traffic impact study measured existing traffic volumes and added traffic generated by the proposed units. The study projects 95% (1,200) vehicles per day will utilize the Murray Blvd. access and 5% (60) vehicles per day will use the Spring Clover access. The study recommends installation of a gate near Spring Clover Drive to restrict use of the private street by the adjoining neighborhood to the west. The applicant is proposing to have a gate near the Murray Boulevard access as suggested by the traffic study. Additionally, as mentioned above, the City Engineer is requiring an additional emergency access gate to be installed and controlled by the City at the Spring Clover connection.

The TIS finds that there is no significant impact on the existing conditions and proposed development.

Parking: The proposed project will eliminate two existing parking lots west and south of the clubhouse. The R-M-15 Zone requires 2.5 parking stalls per unit. All proposed townhomes have two-car garages and driveways that will accommodate another two vehicles. The proposed units will meet the minimum parking requirement. The existing parking in front (southwest) of the clubhouse and pool will be eliminated with the realignment of Applegate Drive/Fuji Avenue. The site plan (Plan C-03) shows a total of 35 new parking stalls dispersed in Baldwin Park (4), Ben Davis Park (4), Rome Beauty Park (12), and Gravenstein Park (15). The modified visitor parking of thirty-five (35) spaces will allow for the same amount of visitor parking for the existing Applegate condos. The overall site meets the minimum parking requirements.

Grading, Drainage & Utilities: Grading, storm drainage, and utility plans have been provided and are under review with City Staff. The Murray City Water Division has raised concerns with the proposed plans to provide water that will need to be addressed. Those concerns are outlined in the City Department Review section of this report and are included as conditions of approval. Storm drain requirements will include on-site detention and retention. The proposed grading plan includes a detention area to the west of the new units on Fuji Avenue. The Site Plans (C-04, C-05 and C-06) show the detention area identified as "dog park". The City Engineer will not allow a dog park as part of the detention area and will need to be removed from plans at the time of building permit submittal. The Engineer's requirements are detailed in the City Department Review section and included with the conditions of approval.

Site Geotechnical Report: The geotechnical reports have been received by staff and no concerns have been expressed.

Cellular Tower: There is an existing cellular monopole tower on the property. In order for the Applegate HOA to sell the subject property and allow it to be developed, they sought and were granted a variance which will allow them to replace the monopole to its former location near the intersection of 700 West (Murray Boulevard) and 5400 South. The monopole must be relocated prior to the recording of the subdivision amendment because it is currently a legal non-conforming use in the R-M-15 Zone. Staff has recommended the Planning Commission require the relocation as a condition of approval.

Amenities: The new development proposes the installation of new sports courts, a dog park, pavilion, playground area and barbeque areas. The existing Applegate Condominiums and Applegate LLC will share the use, improvements, maintenance, access rights for the private right-of-way, utility easements, the existing clubhouse and pool and future sports courts, tot lot/playground, and barbecue area amenities. The shared amenity(s) will be controlled by the Declarations of both projects. There will be no physical separations such as fences between the two developments, and the connected sidewalks and roadways will encourage use of the open spaces. The applicant has provided a copy of the Reciprocal Easement and Maintenance Agreement between Applegate Homeowners Association (HOA) and Applegate LLC which addresses the private right-of-way road, utility easements, use of existing and future amenities as indicated above.

Landscaping: The R-M-15 Zone does not have specific landscaping requirements. Staff is comfortable with the proposed landscaping and amenities as proposed. The landscape plan,

identified as L1, provided by the applicant shows 46 units. The plan will need to be updated showing the correct layout and number of units (42) prior to the submittal of building permits. The applicant shall provide an updated formal landscaping plan prepared and stamped by a licensed Utah Landscape Architect for all landscaping improvements on or associated with the project, meeting all requirements of Section 17.68 of the Murray City Land Use Ordinance prior to the first building permit submittal.

Proposed Units & Height: The applicant intends to construct all townhomes in the project. The applicant has indicated that property management for the Fuji Townhomes will be done off-site. A Murray City business license is required for all rental units. All elevations and floor plans for the proposed townhomes indicate 3-story units with the garages oriented towards proposed Fuji Avenue providing space for vehicles to park in front of the garage. The R-M-15 Zone allows forty feet (40') for maximum building heights as approved by the Planning Commission. The tallest of the buildings proposed is 33.5', which conforms. Elevations and floorplans for the potential units are attached to this report for review.

Project Density

The R-M-15 zone allows for a base density of up to twelve (12) units per acre. Based on the 5.11 acres of the subject property the project is allowed up to sixty (60) units. The applicants have proposed forty-two (42) which results in a density of approximately eight (8) units per acre. This meets the requirements of the zone.

R-M-15 Zone Standards

Murray Land Use Section 17.120.080 states "Building height will be determined by the planning commission for conditional uses, except no building shall be erected to a height greater than forty feet (40'), and no dwelling shall be erected to a height less than one story. The proposed townhomes have been designed to meet the requirements of Chapter 17.120 (R-M-15). The structures consist of three (3) and four (4) unit-attached townhomes. The table below shows the requirements of the zone and the proposed setbacks. Staff has no concerns with the proposed setbacks and heights.

R-M-15 Zone	Code Requirement	Proposed
Front Yard	Twenty-Five Feet (25')	Twenty-Five (25')
Rear Yard	Twenty-Five Feet (25')	Twenty- Five (25')
Interior Side Yard	Eight Feet (8')	Twenty between buildings (20')
Corner Side Yard	Twenty Feet (20')	Twenty (20')
Height	Up to Forty Feet (40')	Thirty-three feet five inches (33.5')

III. STATE AND MUNICIPAL CODE REVIEW STANDARDS

Murray City Code Title 16, Subdivision Ordinance, outlines the requirements for subdivision review. Utah State Code (10-9a-604) states that a subdivision plat may not be recorded until approved by the Land Use Authority of the City. The Planning Commission's role as the Land Use Authority is to ensure that a proposed subdivision is consistent with established ordinances, policies, and planning practices of the City. The Planning Commission makes investigations, reports, and recommendations on proposed subdivisions as to their conformance to the General Plan and Title 17 of City Code, and other pertinent documents as it deems necessary. After completing its review of the final plat, the Planning Commission shall approve or disapprove the final plat in accordance with Section 16.12.070 of the City Code.

Utah State Code Section 10.9a.507(2)(a) states: "A land use authority shall approve a conditional use if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards."

Murray Land Use Code Section 17.120.130 requires Planning Commission approval for multi-family dwellings within the R-M-15 Zone. The Planning Commission's role as the Land Use Authority is to ensure that a proposed project is consistent with established ordinances, policies and planning practices of the City. The Planning Commission makes investigations, reports, and recommendations on proposed projects and "after the public hearing, the city may establish conditional zones within existing zoning districts where it is shown that it is in the best interests and general welfare of the community."

IV. LAND USE ORDINANCE STANDARDS REVIEW - CONDITIONAL USE PERMIT

Section 17.120.030 of the Murray City Land Use Ordinance requires that Multiple-family dwelling developments require Conditional Use approval by the Planning Commission. Murray City Code Section 17.56.060 outlines the following standards for review for conditional uses.

A. That the proposed use of the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the community and the neighborhood.

With compliance to city regulations, the proposed multi-family townhome project will contribute to the community and neighborhood by providing additional housing options and

making needed improvements to existing housing and infrastructure available.

B. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of person residing or working in the vicinity, or injurious to property or improvements in the vicinity.

With conditions, the proposed multi-family townhome project will not be detrimental to the health, safety, or general welfare of people in the vicinity.

C. That the proposed use will stress quality development with an emphasis towards adequate buffering, landscaping, proper parking and traffic circulation, use of appropriate gradation of building height away from single-family districts and density to create privacy and compatibility with surrounding uses, use of building materials which are in harmony with the area, impact on schools, utilities, and streets.

The proposed multi-family townhome project will contribute to the overall quality of housing and development in the area, providing appropriate density, parking, and open space. The proposed Fuji Townhome project will allow secondary access to the Applegate community where there has not been one previously. This proposed project could contribute to the much-needed reinvestment into the Applegate Condominium's site.

D. That the applicant may be required to provide such reports and studies which will provide information relating to adequate utilities, traffic impacts, school impacts, soil and water target studies, engineering reports, financing availability, market considerations, neighborhood support and any other information which may be needed in order to render a proper decision.

The applicant has submitted sufficient information for the review, based on conditions, for this Conditional Use Permit application by Murray City Staff and the Murray City Planning Commission.

V. PUBLIC COMMENTS

Planning Division Staff sent 502 notices to property owners within 500' of the subject property and to affected entities. As of the date of this report, staff has received emails and several phone calls with concerns about traffic, access, leasing/rental units and building height adjacent to single-family residential neighborhoods. Copies of emails received at the time of this staff report are attached. Staff will cover any additional comments received at the meeting.

NOTE: The final sections of this report are each separated and provided individually for each of the two applications for Subdivision Amendment (agenda item #8) and Conditional Use Permit Review (agenda item #9).

Subdivision Amendment:	Conditional Use Permit:
City Department Review - Pg 12	City Department Review – Pg 17
Findings - Pg 14	Findings - Pg 20
Conclusion & Recommendation - Pg 14	Conclusion & Recommendation - Pg 20

VI. CITY DEPARTMENT REVIEW - SUBDIVISION AMENDMENT

A Planning Review Meeting was held on May 30, 2023, where the proposed Subdivision Amendment and Conditional Use Permit application(s) were reviewed by Murray City Department Staff. The following comments have been provided by the departments that responded:

The Murray City Engineer recommends approval subject to the following conditions:

- Meet City Subdivision requirements – City Code Title 16.
- Meet Salt Lake County's requirements for plat recording – reviews by Salt Lake County Surveyor's Office and Recorder's Office are required.
- Meet Salt Lake County addressing requirements for street name and unit addressing – Fuji Avenue needs to be changed to Fuji Way or Fuji Drive.
- Delineate and designate with dimensions, boundaries, courses, and address coordinates the proposed street. Suggest showing this on a 2nd sheet with a 1" = 40' or larger scale so that it's legible.
- Dedicate the triangular piece of property that extends into Spring Clover Drive to Murray City.
- Dedicate the strip or property south of Applegate drive that extends into Murray Blvd.
- Recommendation – work with the property owners at 5313 South Majestic Village Cir. and 839 West Spring Clover Dr. to clean up the property line discrepancies.
- Show drainage easements in locations that have drainage facilities.
- Meet City storm drain requirements, on site detention and retention of the 80th percentile storm is required. Implement Low Impact Development (LID) practices.
- Provide an LID and drainage summary report.
- Sidewalks, pedestrian ramps, and crosswalks must meet current City and ADA Standards.
- Meet city street standards – street grades should not be less than 0.5% and no greater than 10%. Tapers or smooth transitions should be provided street connections and curves should not impede line of site.
- Meet City utility requirements and provide PUE's within and along the proposed street for proposed gas, electric and communication lines.
- Provide full plan and profile drawings of the proposed street and utilities.
- Provide emergency only access gate meeting Fire Department requirements at Fuji connection to Spring Clover Drive.
- Provide new water, sewer and storm drain in Fuji.
- Based on the proposed street geometry, provide a design speed and speed limit signs.
- Provide stop signs, coordinate markers at all street intersections and no parking signs along the proposed street.
- Provide street lighting – show locations and type on site plan.
- Develop a site SWPPP and obtain a City Land Disturbance Permit prior to beginning site construction work.
- Obtain a City Excavation Permit for work in the City right-of-way.

The Murray City Water Division requires the following:

- Eliminate the 8" Master Meter for the FUJI Townhomes. The 1" water laterals with individual meters to each unit, is the preferred approach for this project. We will not allow master meters to be installed in asphalted areas.
- Specify where the irrigation meter will be located and the size
- We will require additional 8" Gate valves for isolation purposes.
    - x 1 where the connection is at Spring Clover Dr
    - x 2 at the water main tee for FUJI Avenue
    - x 1 at the tee east of the 2nd Fire Hydrant on FUJI Avenue
- Show the 6" Auxiliary Valves at the waterline tees for the fire hydrants.
- Follow the Master Meter specifications and requirements for the 8" Connection at Applegate's Waterline.
    - Page 21 - https://murray.utah.gov/DocumentCenter/View/13884/Spec-Book-2023-Updated-4142023?bidId=
- Must better describe how the contractor will disconnect and cap Applegate's privately owned water line that is west of the project
- All water work must be done to Murray City Water's Specification and Requirements.

The Murray City Wastewater Division requires the following:

- Plans must show and state on the utility sheet how existing sewer will be abandoned and capped. One manhole at the west end of development will have to be completely removed due to the shallowness of the manhole.
- Include manhole abandonment detail from Murray Wastewater specification book in the plans.
- Note on utility page all sewer work must meet Murray Wastewater specification.
- Some plan and profile pages do not match, please correct.
- All existing utilities must be maintained and protected during construction.
- Any gates that are installed for access must be coded and allowed for 24 HR emergency utility access for all utilities

Murray Power Department states:

- Please refer to previous comments. In addition, we will need a code to the proposed gate for 24-hour access to the power metering equipment. There will also be scheduled power outages that will need to be coordinated, by the developer, during the underground powerline relocation.
- The developer will need to meet with Murray City Power to discuss planning the new power service(s) and future equipment placement to the building(s) with additional line extension costs to provide electrical service. The developer must meet all Murray City Power Department requirements and the current NESC/NEC code and provide the required easement/clearance(s) for equipment and Power lines.
- **Please contact John Galanis 801-264-2723 for meter placement on the building(s) and proper metering equipment requirements before construction begins**

Murray Fire Department states:

- Must meet all International Fire Code (IFC) 2018/2021, along with any applicable National Fire Protection Association (NFPA) codes.
- Fire department access roads shall not exceed 10 percent grade IFC D103.2
- No parking signage and enforcement of fire department access roads. D103.6.2
- Where vertical distance between the grade plane and highest roof surface exceeds 30 ft, approved aerial fire apparatus access roads of 28' shall be provided. D105.1 with 503.2.2 Authority outriggers.
- Meet all applicable Fire Codes: 503.1.1 Buildings and facilities.; 503.5 Required gates or barricades; 503.5.1 Secured gates and barricades; 503.6 Security gates.; D102.1 Access and loading; D103.1 Access road width with a hydrant; D103.5 Fire apparatus access road gates; D103.6 Signs; D103.6.1 Roads 20 to 26 feet in width; D103.6.2 Roads more than 26 feet in width; D105.1 Where required; D105.2 Width; D105.3 Proximity to building; D105.4 Obstructions.

The Building Official states:

- The Townhomes must meet all IRC requirements.

The Police Department states:

- If the community is to be a gated community, police would need the key code access in order to provide police services.

The preceding comments are addressed as conditions in the final section of this report.

VII. FINDINGS - SUBDIVISION AMENDMENT

Based on the analysis of the proposed subdivision, review of the applicable land use and subdivision requirements, and a survey of the surrounding area staff concludes the following:

1. With conditions, the proposed subdivision can comply with the standards of the Murray City Subdivision Ordinance.
2. With conditions, the proposed subdivision will allow for the sale of property which will provide for needed improvements to be made to the existing condominium units and property.
3. The proposed subdivision creates an opportunity for further residential development which is encouraged and supported by the 2017 Murray City General Plan in this area.

VIII. CONCLUSION/RECOMMENDATION - SUBDIVISION AMENDMENT

Based on the information presented in this report, application materials submitted, and a site review, staff recommends that the **Planning Commission GRANT the Preliminary and Final Subdivision Amendment Approval for the proposed Applegate Condominiums Amended Subdivision on property located at 770 West Applegate Drive** subject to the following conditions:

1. The project shall meet all requirement of the Murray City Engineer, including the following:

a) Meet City Subdivision requirements – City Code Title 16.
b) Meet Salt Lake County's requirements for plat recording – reviews by Salt Lake County Surveyor's Office and Recorder's Office are required.
c) Meet Salt Lake County addressing requirements for street name and unit addressing – Fuji Avenue needs to be changed to Fuji Way or Fuji Drive.
d) Delineate and designate with dimensions, boundaries, courses, and address coordinates the proposed street. Suggest showing this on a 2nd sheet with a 1" = 40' or larger scale so that it's legible.
e) Dedicate the triangular piece of property that extends into Spring Clover Drive to Murray City.
f) Dedicate the strip or property south of Applegate Drive that extends into Murray Blvd.
g) Recommendation – work with the property owners at 5313 South Majestic Village Cir. and 839 West Spring Clover Dr. to clean up the property line discrepancies.
h) Show drainage easements in locations that have drainage facilities.
i) Meet City storm drain requirements, on-site detention and retention of the 80th percentile storm is required. Implement Low Impact Development (LID) practices.
j) Provide an LID and drainage summary report.
k) Sidewalks, pedestrian ramps, and crosswalks must meet current City and ADA Standards.
l) Meet city street standards – street grades should not be less than 0.5% and no greater than 10%. Tapers or smooth transitions should be provided street connections and curves should not impede line of site.
m) Meet City utility requirements and provide PUE's within and along the proposed street for proposed gas, electric and communication lines.
n) Provide full plan and profile drawings of the proposed street and utilities.
o) Provide emergency only access gate meeting Fire Department requirements at Fuji connection to Spring Clover Drive.
p) Provide new water, sewer and storm drain in Fuji.
q) Based on the proposed street geometry, provide a design speed and speed limit signs.
r) Provide stop signs, coordinate markers at all street intersections and no parking signs along the proposed street.
s) Provide street lighting – show locations and type on site plan.
t) Develop a site SWPPP and obtain a City Land Disturbance Permit prior to beginning site construction work.
u) Obtain a City Excavation Permit for work in the City right-of-way.

2. The existing cell tower shall be relocated prior to recordation of the amended plat and prior to issuance of any building permits.
3. The applicant shall meet all International Fire Code (IFC) 2018.2021 along with National Fire Protection Association (NFPA) codes. Meet all standards including the number and placement of hydrants, adequate fire flow, and appropriate emergency service access and gates. See Department Comments for further details.
4. The applicant shall install and enforce "No parking" signage on Fuji Avenue for adequate fire safety access.
5. The project shall meet all Water, Wastewater and Power Department requirements.
6. The applicant shall install an 8-foot-high solid wall adjacent to any single-family dwellings

and must be installed prior to construction of any new dwellings.

7. The sidewalk shall be extended to the property line on Gravenstein Park.
8. The applicant shall provide amended Declarations for both the Applegate Condominiums and the Fuji Townhomes that demonstrate the clear shared use, maintenance, and improvement of the existing clubhouse and pool, and that demonstrate the necessary shared access and parking agreements will continue in perpetuity. A copy of the recorded Declarations is required to be provided to the Planning Division.
9. The applicant shall prepare a Final Amended Subdivision Plat with complies with all requirements of the Murray City Land Use Ordinance and with Title 16, Murray City Subdivision Ordinance and meet Salt Lake County Recorder's requirements.
10. The amended subdivision plat shall be recorded within one year of the final approval by the Planning Commission or the subdivision plat approval shall be null and void.

IX. CITY DEPARTMENT REVIEW - CONDITIONAL USE PERMIT

A Planning Review Meeting was held on May 30, 2023, where the proposed Conditional Use Permit for multi-family dwellings project was reviewed. City staff provided the following comments:

The Murray City Engineer requires the following conditions:

- Meet City subdivision requirements and standards – City Code Title 16.
- Meet City storm drain requirements, on-site detention and retention of the 80th percentile storm is required. Implement Low Impact Development (LID) practices.
- Provide an LID and drainage summary report.
- Storm drain detention and retention areas should not be used as dog parks.
- Sidewalks, pedestrian ramps, and crosswalks must meet current City and ADA Standards.
- Meet City street standards – street grades should not be less than 0.5% and no greater than 10%. Tapers or smooth transitions should be provided at street connections and curves should not impede line of site.
- Meet City utility requirements and provide PUE's withing and along the proposed street.
- Provide plan and profile drawings of the proposed street and utilities.
- Provide emergency only access gate meeting Fire Department requirements at Fuji connection to Spring Clover Drive.
- Provide new water, sewer and storm drain in street and reconnect existing utilities to the new utility lines.
- Maintain access and utility connections for the existing Applegate community.
- Based on the proposed street geometry, provide a design speed and speed limit signs.
- Provide stop signs and coordinate markers at all street intersections and no parking signs along the proposed street.
- Provide street lighting.
- Develop a site SWPPP and obtain a City Land Disturbance Permit prior to beginning site construction work.
- Obtain a City Excavation Permit for work in the City right-of-way.

The Murray City Building Official states:

- The applicant provide complete plans, calculations, and soils reports for building permit submittals.
- Townhomes to meet all the IRC requirements.

The Murray City Water Division requires the following:

- Eliminate the 8" Master Meter for the FUJI Townhomes. The 1" water laterals with individual meters to each unit, is the preferred approach for this project. We will not allow master meters to be installed in asphalted areas.
- Specify where the irrigation meter will be located and the size
- We will require additional 8" Gate valves for isolation purposes.
    - x 1 where the connection is at Spring Clover Dr
    - x 2 at the water main tee for FUJI Avenue
    - x 1 at the tee east of the 2nd Fire Hydrant on FUJI Avenue
- Show the 6" Auxiliary Valves at the waterline tees for the fire hydrants.

- Follow the Master Meter specifications and requirements for the 8" Connection at Applegate's Waterline.
    - Page 21 - https://murray.utah.gov/DocumentCenter/View/13884/Spec-Book-2023-Updated-4142023?bidId=
- Must better describe how the contractor will disconnect and cap Applegate's privately owned water line that is west of the project
- All water work must be done to Murray City Water's Specification and Requirements.

The Murray City Wastewater Division requires the following:

- Plans must show and state on the utility sheet how existing sewer will be abandoned and capped. One manhole at the west end of development will have to be completely removed due to the shallowness of the manhole.
- Include manhole abandonment detail from Murray Wastewater specification book in the plans.
- Note on utility page all sewer work must meet Murray Wastewater specification.
- Some plan and profile pages do not match, please correct.
- All existing utilities must be maintained and protected during construction.
- Any gates that are installed for access must be coded and allowed for 24 HR emergency utility access for all utilities

Murray Power Department states:

- Please refer to previous comments. In addition, we will need a code to the proposed gate for 24-hour access to the power metering equipment. There will also be scheduled power outages that will need to be coordinated, by the developer, during the underground powerline relocation.
- The developer will need to meet with Murray City Power to discuss planning the new power service(s) and future equipment placement to the building(s) with additional line extension costs to provide electrical service. The developer must meet all Murray City Power Department requirements and the current NESC/NEC code and provide the required easement/clearance(s) for equipment and Power lines.
- **Please contact John Galanis 801-264-2723 for meter placement on the building(s) and proper metering equipment requirements before construction begins**

Murray Fire Department states:

- Must meet all International Fire Code (IFC) 2018/2021, along with any applicable National Fire Protection Association (NFPA) codes.
- Fire department access roads shall not exceed 10 percent grade IFC D103.2
- No parking signage and enforcement of fire department access roads. D103.6.2
- Where vertical distance between the grade plane and highest roof surface exceeds 30 ft, approved aerial fire apparatus access roads of 28' shall be provided. D105.1 with 503.2.2 Authority outriggers.
- Meet all applicable Fire Codes: 503.1.1 Buildings and facilities.; 503.5 Required gates or barricades; 503.5.1 Secured gates and barricades; 503.6 Security gates.; D102.1 Access

and loading; D103.1 Access road width with a hydrant; D103.5 Fire apparatus access road gates; D103.6 Signs; D103.6.1 Roads 20 to 26 feet in width; D103.6.2 Roads more than 26 feet in width; D105.1 Where required; D105.2 Width; D105.3 Proximity to building; D105.4 Obstructions.

The Police Department states:

- If the community is to be a gated community, police would need the key code access in order to provide police services.

The preceding comments are addressed as conditions in the final section of this report.

X. FINDINGS - CONDITIONAL USE PERMIT

Based on the analyses of the Conditional Use Permit of the new multi-family leasing units for Fuji Townhomes and a survey of the surrounding area, staff concludes the following:

1. With conditions, the proposed multi-family project will comply with the standards of the Murray City Land Use Ordinance.
2. The proposed multi-family townhome units provide new and needed residential housing opportunities at appropriate density for the area, while providing improvements to existing housing and needed infrastructure.
3. The proposed multi-family project is in harmony with the Future Land Use Map and the objectives and goals of the Murray City General Plan.

XI. CONCLUSION/RECOMMENDATION - CONDITIONAL USE PERMIT

Based on the information presented in this report, application materials submitted and a site review, staff recommends that the **Planning Commission APPROVE the CONDITIONAL USE PERMIT to allow the proposed Fuji Townhomes located at approximately 770 West Applegate Drive** subject to the following conditions:

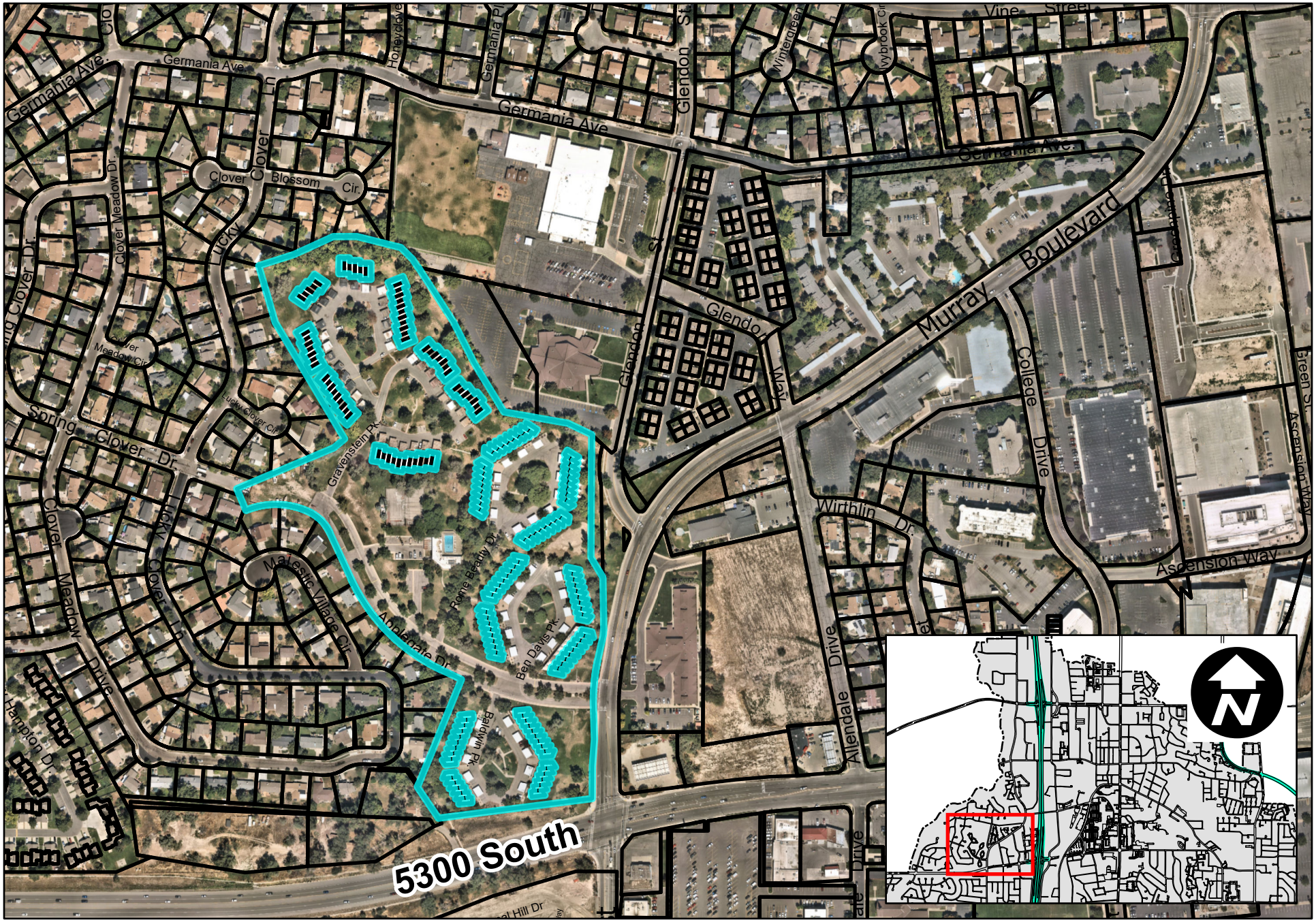
1. The project shall meet Murray City Engineering requirements including the following:
    a) Meet City subdivision requirements and standards – City Code Title 16.
    b) Meet City storm drain requirements, on-site detention and retention of the 80th percentile storm is required. Implement Low Impact Development (LID) practices.
    c) Provide an LID and drainage summary report.
    d) Storm drain detention and retention areas should not be used as dog parks.
    e) Sidewalks, pedestrian ramps, and crosswalks must meet current City and ADA Standards.
    f) Meet City street standards – street grades should not be less than 0.5% and no greater than 10%. Tapers or smooth transitions should be provided at street connections and curves should not impede line of site.
    g) Meet City utility requirements and provide PUE's within and along the proposed street.
    h) Provide plan and profile drawings of the proposed street and utilities.

i) Provide emergency only access gate meeting Fire Department requirements at Fuji connection to Spring Clover Drive.
j) Provide new water, sewer and storm drain in street and reconnect existing utilities to the new utility lines.
k) Maintain access and utility connections for the existing Applegate community.
l) Based on the proposed street geometry, provide a design speed and speed limit signs.
m) Provide stop signs and coordinate markers at all street intersections and no parking signs along the proposed street.
n) Provide street lighting.
o) Develop a site SWPPP and obtain a City Land Disturbance Permit prior to beginning site construction work.
p) Obtain a City Excavation Permit for work in the City right-of-way.

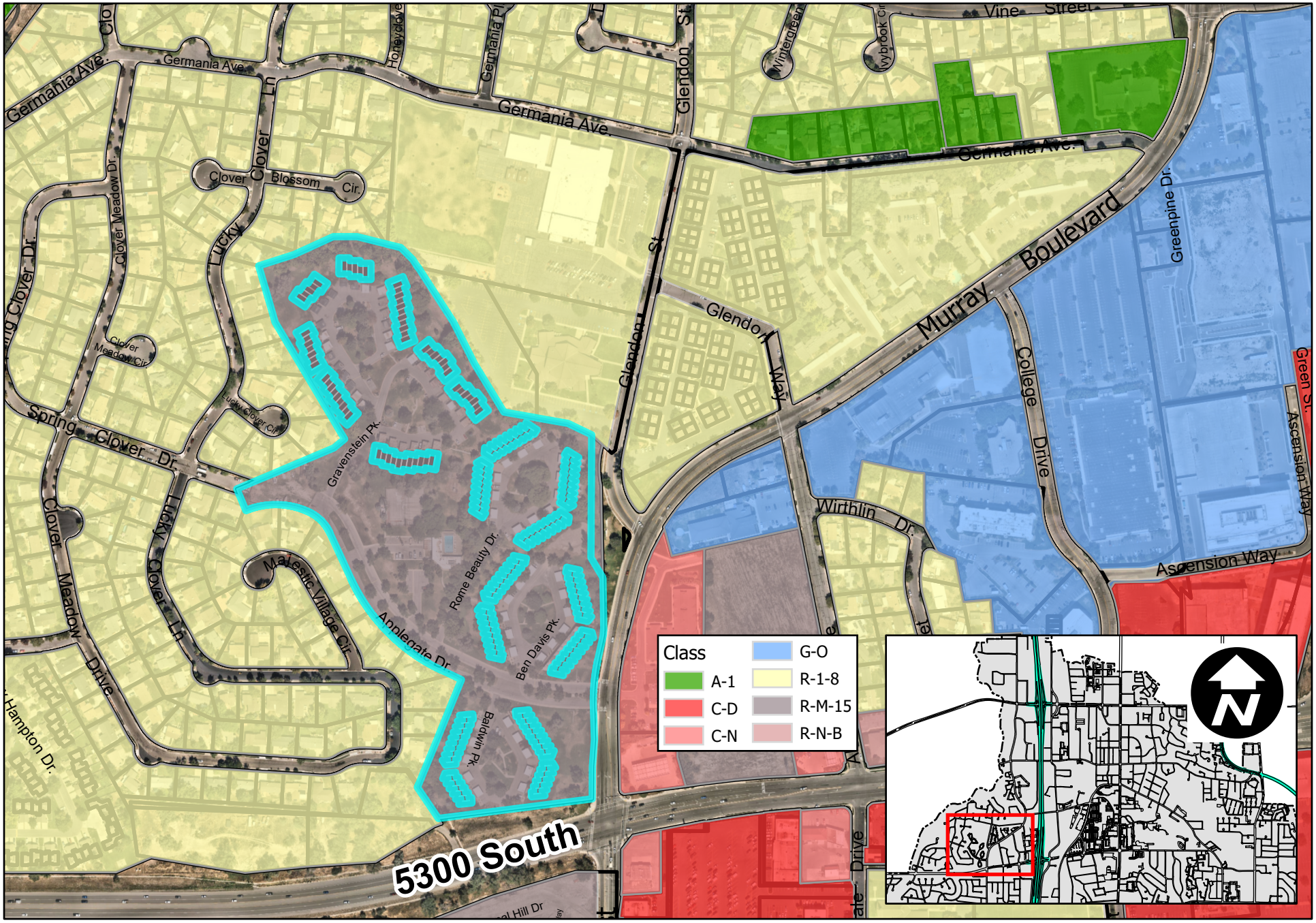
2. The existing cellular tower shall be relocated off the subject property prior to recordation of the Amended Applegate Subdivision and prior to issuance of any building permits.
3. The project shall meet all applicable Fire Code standards including number and placement of hydrants, adequate fire flow, and appropriate emergency service access.
4. The applicant shall install "No Parking" signage and be enforced on Fuji Avenue for adequate fire safety access.
5. The project shall meet all Water, Wastewater and Power Department requirements.
6. The applicant shall work with the Murray City Water Division to correct the design issues identified in this report.
7. The applicant shall install an eight-foot (8') solid masonry wall adjacent to all single-family dwellings.
8. The creation of the new parcel/lot on a private accessway prohibits any future potential subdivision for individual ownership (townhomes) per Section 16.16.090.
9. The applicant shall remove the dog park from the detention basin area.
10. The applicant shall provide an updated formal landscaping plan prepared and stamped by a licensed Utah Landscape Architect for all landscaping improvements on or associated with the project, meeting all requirements of Section 17.68 of the Murray City Land Use Ordinance prior to the first building permit submittal.
11. The applicant shall provide amended Declarations for both the Applegate Condominiums and the Fuji Townhomes that demonstrate the clear shared use, maintenance, and improvement of the existing clubhouse and pool, and that demonstrate the necessary shared access and parking agreements will continue in perpetuity. A copy of the recorded Declarations shall be provided to the Planning Division.
12. The applicant shall provide a copy of the recorded Reciprocal Easement Agreement to the Planning Division.
13. All new dwellings shall meet the maximum height of the R-M-15 Zone (Section 17.120).
14. The applicant shall provide complete plans, calculations, and soils reports for building permit submittals and to meet all Building Code requirements.

15. The applicant shall meet all of the R-M-15 Zone (Section 17.120) requirements.
16. The applicant/property owner shall obtain a business license for the rental units.
17. The sidewalk on the proposed (lot/parcel) shall be extended on at least one side of the private access on Gravenstein Park Drive.

770 West Applegate Drive



770 West Applegate Drive



MURRAY CITY CORPORATION
PUBLIC WORKS

MEMORANDUM

To: Murray City Planning Commission

Cc: Russ Kakala, Public Works Director
Doug Hill, Chief Administrative Officer
G.L., City Attorney
Jared Hall, Community and Economic Development Director
Joey Mittelman, Fire Chief
Jeff Puls – Fire Marshal
Craig Burnett, Police Chief
Doug Roberts, Assistant Police Chief
Susan Nixon, Senior Planner

From: Trae Stokes, City Engineer

Date: June 6, 2023

Re: Fuji Townhomes – Applegate Amended Subdivision

The Fuji Townhome applicant is proposing a newly aligned **private** street through the Applegate community that connects to Spring Clover Drive on the west as a secondary access and maintains the primary access to Murray Blvd. on the east – see attached layout. The applicant is also proposing a gate just west of Baldwin Park on Applegate Drive to prevent through traffic use of the private street. This proposal would allow Applegate and Fuji residents to have full access to both Spring Clover and Murray Blvd., but through use for all other traffic would be restricted by the proposed gate. While it's usually desirable to connect neighborhoods for improved two-way traffic circulation, the proposed private street with a gate prohibits circulation. The proposed street connection to Spring Clover will also push additional traffic into the neighborhood west and north of the development. Several streets in the neighborhood are already plagued with traffic and speeding issues, so pushing more traffic into the area is undesirable. To prevent additional traffic being pushed in the neighborhood to the west, I am recommending that the Spring Clover access be limited to a gated emergency access only. The gate will need to meet all fire code requirements for a secondary two-way emergency access and be controlled by Murray Fire Department.

Engineering Staff has reviewed and evaluated traffic data and counts provided in the project traffic impact and queue studies. Based on the unit counts, trip generation, traffic counts, and field observations, we're confident that level of service of the intersections evaluated in the studies will not decrease due to the proposed 42 units,

regardless of how the secondary Spring Clover access is configured. We also think the intersection of Applegate and Murray Blvd. will continue to function in a similar fashion with only minor delays in the PM peak for eastbound drivers when southbound drivers don't comply with the "KEEP CLEAR" message painted at the intersection on Murray Blvd.

After much scrutiny and deliberations with City Staff, I think the secondary emergency access at Spring Clover is the best approach for the existing Applegate Community, the proposed Fuji Townhome development and the surrounding neighborhoods. Furthermore, engineering evaluation of the primary access and Fire Department acceptance of the secondary emergency access should meet the requirements of City Code, Section 16.16.170 3. C. & D. for the proposed 42 units.

Thank You,
Trae Stokes, P.E.

DRAWING TITLE

OVERALL SITE PLAN

CLEINT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS
PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

DENSITY CALCULATIONS:

TOTAL PROJECT AREA = 222,621 SQFT.
5.11 ACRES

DENSITY UNITS/ACRE = 42 UNITS
5.11 ACRES

UNITS/ACRE = 8.2 OR 8 ACRES/UNIT

N

S

40 0 20 40 80

Scale (24" x 36") 1 in. = 40 FT.

REVISIONS:

REV #	DESCRIPTION	DATE

WEBER ENGINEERING COLLECTIVE

CIVIL• PLANNING• SURVEYING

SALT LAKE CITY, UTAH
PHONE (385) 229-9663

COPYRIGHT
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STAMP

PROJECT NO. W-18-15
DATE 04/19/23
DRAWN BY: JACOB WEBER, P.E.
CKD BY:
SHEET NUMBER C-04

MURRAY CITY CORPORATION
COMMUNITY & ECONOMIC DEVELOPMENT

Planning Division 801-270-2430

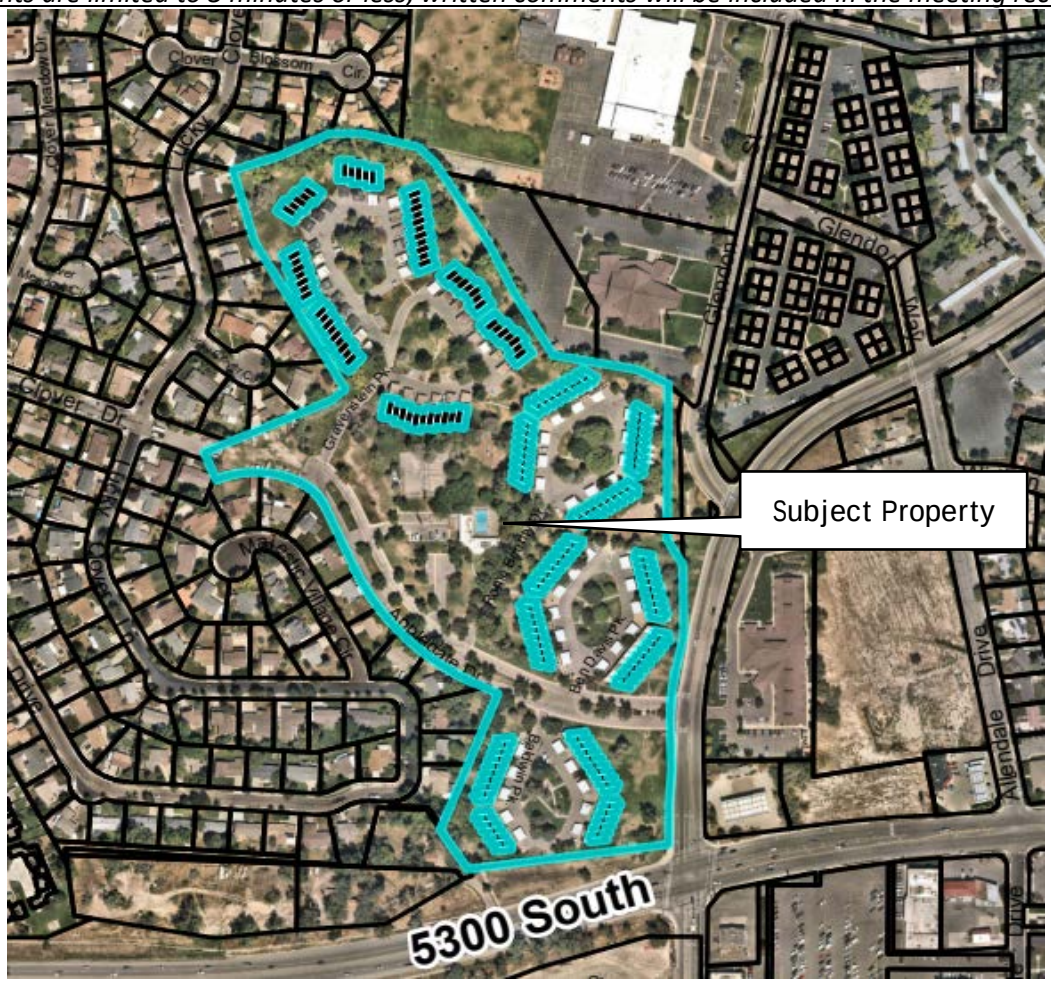
NOTICE OF PUBLIC HEARING

June 15, 2023, 6:30 PM

The Murray City Planning Commission will hold a public hearing on Thursday, **June 15, 2023, at 6:30** p.m. in the **Murray City Municipal Council Chambers, located at 10 West 4800 South Street** to receive public comment on the following applications made by representatives of Applegate LLC on the property generally addressed **770 West Applegate Drive** (see attached plan):

- **Preliminary & Final Subdivision approval to amend the Applegate Condominium Subdivision on property located at 770 West Applegate Drive by subdividing into two parcels, creating a new 5.11-acre parcel for development.**
- **The subdivision amendment will include the realignment of Applegate Drive and connect to Spring Clover Drive.**
- **A Conditional Use Permit for Fuji Townhomes, 42-unit townhomes for lease, created on the new 5.11-acre parcel. See attached plan.**

The meeting is open, and the public is welcome to attend in person or you may submit comments via email at planningcommission@murray.utah.gov. If you would like to view the meeting online, you may watch via livestream at www.murraycitylive.com or www.facebook.com/MurrayCityUtah/.
Comments are limited to 3 minutes or less, written comments will be included in the meeting record.



Public Notice Dated |June 1, 2023

*Exhibit: Proposed New Lot and Site Plan.

This notice is being sent to you because you own property within 500 feet of the subject property. If you have questions or comments concerning this proposal, please contact Susan Nixon at snixon@murray.utah.gov, at 801-270-2430 or the planning division at planning@murray.utah.gov.

SUBDIVISION & FLAG LOT APPLICATION Project #____

Type of Application (check all that apply):

☐ **Preliminary Subdivision** ☐ **Final Subdivision** ☒ **Subdivision Amendment**

Subdivision Name: **Applegate Condominiums**

Subject Property Address: **770 West Applegate Drive, Murray Utah**

Parcel Identification (Sidwell) Number: **21114781740000**

Parcel Area: **5.11 Acres** Current Use: **Medium Density Townhomes**

Zoning Classification: **RM-15**

Applicant Name: **Applegate LLC**

Mailing Address: **2150 South 1300 East, Ste. 500**

City, State, ZIP: **Salt Lake City, Utah, 84106**

Daytime Phone #: **(385) 355-4612** Fax #:_____

Email Address: **FujiTownhomes@gmail.com**

Business Name (If applicable):_____

Property Owner's Name (If different): **Applegate HOA**

Property Owner's Mailing Address: **P.O. Box 802**

City, State, Zip: **Draper, Utah, 84020**

Daytime Phone #: **(801) 285-9800** Fax #:_____

Describe your request in detail (use additional page if necessary):

Amending Applegate Condominium Subdivision Plat

Authorized Signature:_____ Date: **4/27/23**

Project #_____

CONDITIONAL USE PERMIT APPLICATION

Type of Application (check all that apply):

☒ **New Construction** ☐ **Land use change** ☐ **Remodel** ☐ **Addition**

Subject Property Address: **770 West Applegate Drive, Murray Utah**

Parcel Identification (Sidwell) Number: **TBD**

Parcel Area: **5.11 Acres** Current Use: **Cell Tower - HOA Common Area**

Floor Area:_____ Zoning Classification: **RM-15** LU#_____

Applicant Name: **Applegate LLC**

Mailing Address: **2150 South 1300 East, Ste. 500**

City, State, ZIP: **Salt Lake City, UT 84106**

Daytime Phone #: **(385) 355-4612** Fax #:_____

Email Address: **FujiTownhomes@gmail.com**

Business or Project Name : **Fuji Townhomes**

Property Owner's Name (If different): **Applegate HOA**

Property Owner's Mailing Address: **PO Box 802**

City, State, Zip: **Draper, UT 84020**

Daytime Phone #: **(801) 285-9800** Fax #:_____

Email address: **office@corehoa.com**

Describe your request in detail (use additional page if necessary):

Conditional Use Permit for 42 New Townhomes

Authorized Signature:_____ Date: **4/27/23**

Project #_____

Property Owners Affidavit

I (we) Michelle Jarman, Applegate HOA President, being first duly sworn, depose and say that I (we) am (are) the current owner of the property involved in this application: that I (we) have read the application and attached plans and other exhibits and are familiar with its contents; and that said contents are in all respects true and correct based upon my personal knowledge.

Michelle Jarman
Owner's Signature

Owner's Signature (co-owner if any)

State of Utah §
County of Salt Lake

Subscribed and sworn to before me this 16 day of February, 2023.

Notary Public

Residing in Millcreek, UT My commission expires: 5-5-2023

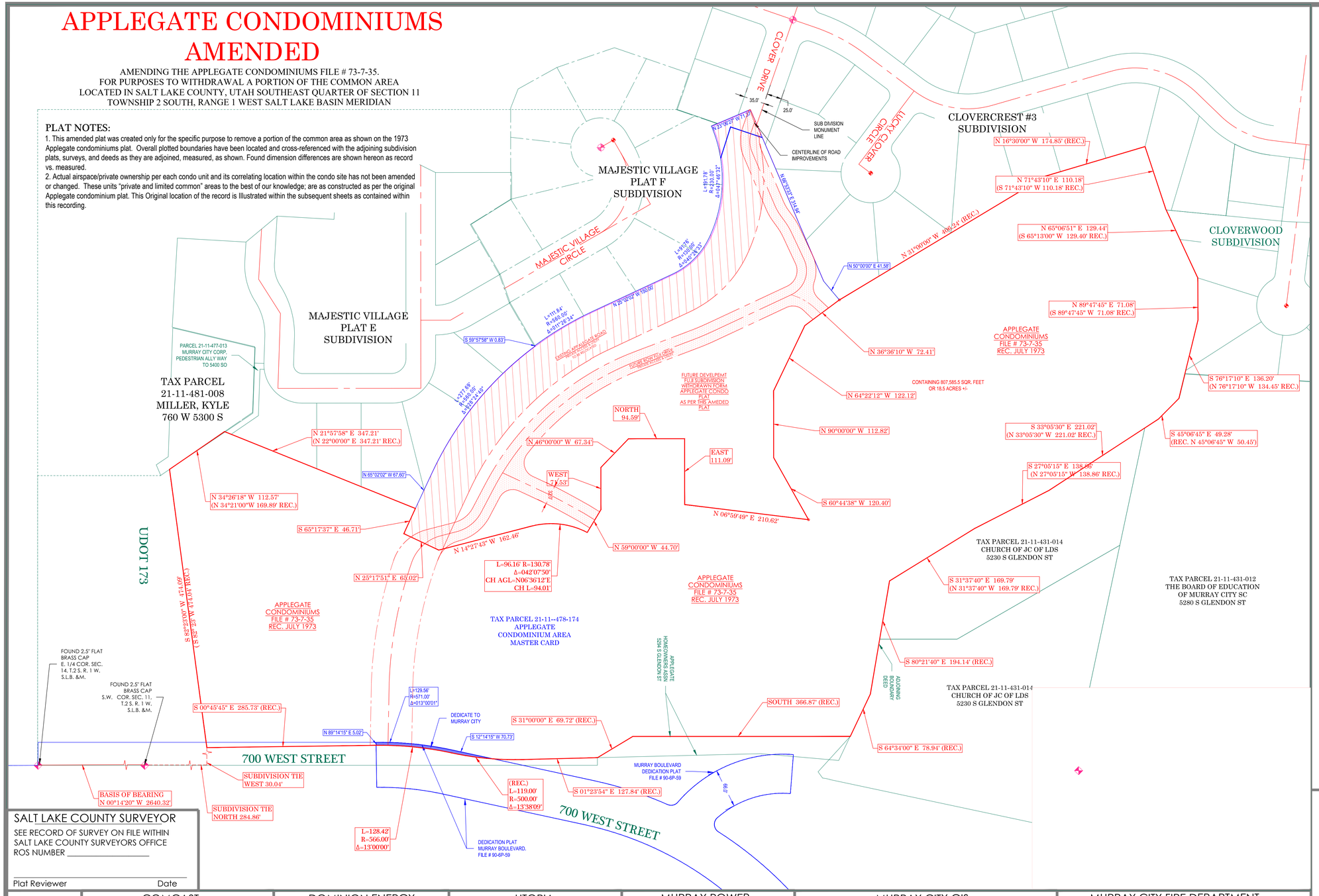
MICHAEL IVINS
NOTARY PUBLIC • STATE OF UTAH
COMMISSION# 706002
COMM. EXP. 05-05-2023

APPLEGATE CONDOMINIUMS AMENDED

AMENDING THE APPLEGATE CONDOMINIUMS FILE # 73-7-35.
FOR PURPOSES TO WITHDRAWAL A PORTION OF THE COMMON AREA
LOCATED IN SALT LAKE COUNTY, UTAH SOUTHEAST QUARTER OF SECTION 11
TOWNSHIP 2 SOUTH, RANGE 1 WEST SALT LAKE BASIN MERIDIAN

PLAT NOTES:

1. This amended plat was created only for the specific purpose to remove a portion of the common area as shown on the 1973 Applegate condominiums plat. Overall plotted boundaries have been located and cross-referenced with the adjoining subdivision plats, surveys, and deeds as they are adjoined, measured, as shown. Found dimension differences are shown hereon as record vs. measured.
2. Actual airspace/private ownership per each condo unit and its correlating location within the condo site has not been amended or changed. These units "private and limited common" areas to the best of our knowledge; are as constructed as per the original Applegate condominium plat. This Original location of the record is Illustrated within the subsequent sheets as contained within this recording.



SALT LAKE COUNTY SURVEYOR

SEE RECORD OF SURVEY ON FILE WITHIN
SALT LAKE COUNTY SURVEYORS OFFICE
ROS NUMBER _____

_____
Plat Reviewer Date

SURVEYOR'S CERTIFICATE

I, Shane Johanson, do hereby certify that I am a Professional Land Surveyor in the State of Utah and that I hold License No.7075114 in accordance with Title 58, Chapter 22, of the Professional Engineers and Land Surveyors Act; I further certify that by authority of the owners I have completed a survey of the property described on this subdivision plat in accordance with Section 17–23–17 and have verified all measurements;
that the reference monuments shown on this plat are located as indicated and are sufficient to retrace or reestablish this plat; and that the information shown herein is sufficient to accurately establish the lateral boundaries of the herein described tract of real property; hereafter known as Applegate Condominiums Amended

AMENDED BOUNDARY DESCRIPTION

Beginning at a point that is located North 284.86 feet and West 30.84 feet from the Southeast corner of Section 11, Township 2 South, Range 1 West, Salt Lake Base and Meridian;
Thence South 82° 23' 00" West a distance of 474.09 feet, Thence North 34° 26' 18" West a distance of 112.57 feet, Thence North 21° 57' 58" East a distance of 347.21 feet, Thence South 65° 17' 37" East a distance of 46.71 feet, Thence North 25° 17' 51" East a distance of 65.02 feet, Thence North 14° 27' 43" West a distance of 162.46 feet to the beginning of a curve, Said curve bears to the right through an angle of 42° 07' 50", having a radius of 130.78 feet along the arc a distance of 96.16 feet, and whose long chord bears North 06° 36' 12" East a distance of 94.01 feet to a point of intersection with a non-tangential line. Thence North 59° 00' 00" West a distance of 44.70 feet, Thence North 90° 00' 00" West a distance of 71.53 feet, Thence North 46° 00' 00" West a distance of 67.34 feet, Thence North 00° 00' 00" East a distance of 94.59 feet, Thence North 90° 00' 00" East a distance of 111.09 feet, Thence North 06° 59' 49" East a distance of 210.62 feet, Thence South 60° 44' 38" West a distance of 120.40 feet, Thence North 90° 00' 00" West a distance of 112.82 feet, Thence North 64° 22' 12" West a distance of 122.12 feet, Thence North 36° 36' 10" West a distance of 72.41 feet, Thence North 31° 00' 00" West a distance of 406.24 feet, Thence North 16° 30' 00" West a distance of 174.85 feet, Thence North 71° 43' 10" East a distance of 110.19 feet, Thence North 65° 06' 51" East a distance of 129.44 feet, Thence North 89° 47' 45" East a distance of 71.08 feet, Thence South 76° 17' 10" East a distance of 136.20 feet, Thence South 45° 06' 45" East a distance of 49.28 feet, Thence South 33° 05' 30" East a distance of 221.02 feet, Thence South 27° 05' 15" East a distance of 138.86 feet, Thence South 31° 37' 40" East a distance of 169.79 feet, Thence South 80° 21' 40" East a distance of 194.14 feet, Thence South 64° 34' 00" East a distance of 78.94 feet, Thence South 00° 00' 00" West a distance of 366.87 feet, Thence South 31° 00' 00" East a distance of 69.72 feet, Thence South 01° 23' 54" East a distance of 127.84 feet to the beginning of a curve, Said curve bears to the right through 13° 38' 09", having a radius of 500.00 feet along the arc a distance of 119.00 feet, and whose long chord bears South 05° 25' 10" West a distance of 118.71 feet to the beginning of a non-tangential curve. Said curve bears to the left through an angle of 13° 00' 00", having a radius of 566.00 feet along the arc a distance of 128.42 feet, and whose long chord bears South 05° 44' 15" West a distance of 128.15 feet, Thence South 00° 45' 45" East a distance of 285.72 feet to the point of beginning.

Containing 807,586 Sq. Ft. or 18.54 Acres

OWNER'S DEDICATION

Know all men by these presents that _____ the undersigned owner(s) of the above described tract of land having caused same to be subdivided into lots and streets to be hereafter known as

AMENDMENT TO APPLEGATE CONDOMINIUMS

do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for public use.
In witness whereof we have hereunto set our hands this _____ day of _____ 20_____.

_____ _____

NOTARY ACKNOWLEDGMENT

State of Utah)
: ss.
County of Salt Lake)

The foregoing Owner's Dedication of the AMENDMENT TO APPLEGATE CONDOMINIUMS, was signed before me this _____ day of _____, by _____, as Manager of _____, a Utah limited liability company, and by _____, a Utah limited liability company, each of whom personally appeared before me and duly acknowledged that the foregoing was Owner's Dedication was executed by authority.

Commission Number _____

My Commission Expires _____

_____ _____
Printed name A Notary Public Commissioned in Utah

AMENDMENT TO APPLEGATE CONDOMINIUMS

AMENDING THE APPLEGATE CONDOMINIUMS FILE # 73-7-35.
FOR PURPOSES TO WITHDRAWAL A PORTION OF THE COMMON AREA
LOCATED IN SALT LAKE COUNTY, UTAH SOUTHEAST QUARTER OF SECTION 11
TOWNSHIP 2 SOUTH, RANGE 1 WEST SALT LAKE BASIN MERIDIAN

JOHANSON PROFESSIONAL LAND SURVEYORS
SURVEY• DESIGN• SEPTIC• PLANNING
SURVEYING
P.O. BOX 18941
SALT LAKE CITY, UTAH 84118
Shane Johanson P.L.S. 801-815-2541

PREPARED 4/19/2023

COMCAST

APPROVED THIS _____DAY OF _____, A.D. 20 _____ BY COMCAST.

_____
SIGN

DOMINION ENERGY

APPROVED THIS _____DAY OF _____, A.D. 20 _____ BY DOMINION ENERGY.

_____
SIGN

UTOPIA

APPROVED THIS _____DAY OF _____, A.D. 20 _____ BY UTOPIA.

_____
SIGN

MURRAY POWER

APPROVED THIS _____ DAY OF _____, A.D. 20_____.

_____
BY:

MURRAY CITY GIS

PRESENTED TO MURRAY CITY THIS _____DAY OF _____, A.D. 20 _____ AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

_____ _____
ATTEST MAYOR

MURRAY CITY FIRE DEPARTMENT

APPROVED THIS _____ DAY OF _____, A.D. 20_____.

_____
MURRAY CITY FIRE DEPARTMENT

NUMBER_____
ACCOUNT____
SHEET 1
OF 8 SHEETS

MURRAY CITY UTILITIES

APPROVED THIS _____ DAY OF _____, A.D. 20____. BY MURRAY CITY SEWER AND WATER

_____
MURRAY CITY WATER AND SEWER MANAGER

HEALTH DEPARTMENT

APPROVED THIS _____DAY OF _____, A.D. 20 _____ BY THE SALT LAKE VALLEY HEALTH DEPT.

_____
S. L. COUNTY HEALTH DEPARTMENT

CITY PLANNING COMMISSION

APPROVED THIS _____DAY OF _____, A.D. 20 _____ BY THE MURRAY CITY PLANNING COMMISSION.

_____
MURRAY PLANNING COMMISSION

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS____ DAY OF_____, A.D. 20 ____

_____
MURRAY CITY ATTORNEY

MURRAY CITY ENGINEER

I HEREBY CERTIFY THAT THE OFFICE HAS EXAMINED THE PLAT AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE.

_____
CITY ENGINEER DATE

MURRAY CITY MAYOR

PRESENTED TO THE MAYOR OF MURRAY CITY COUNCIL THIS _____ DAY OF_____, A.D. 20_____ AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

_____ _____
MAYOR ATTEST: CLERK

SALT LAKE COUNTY RECORDED #_____

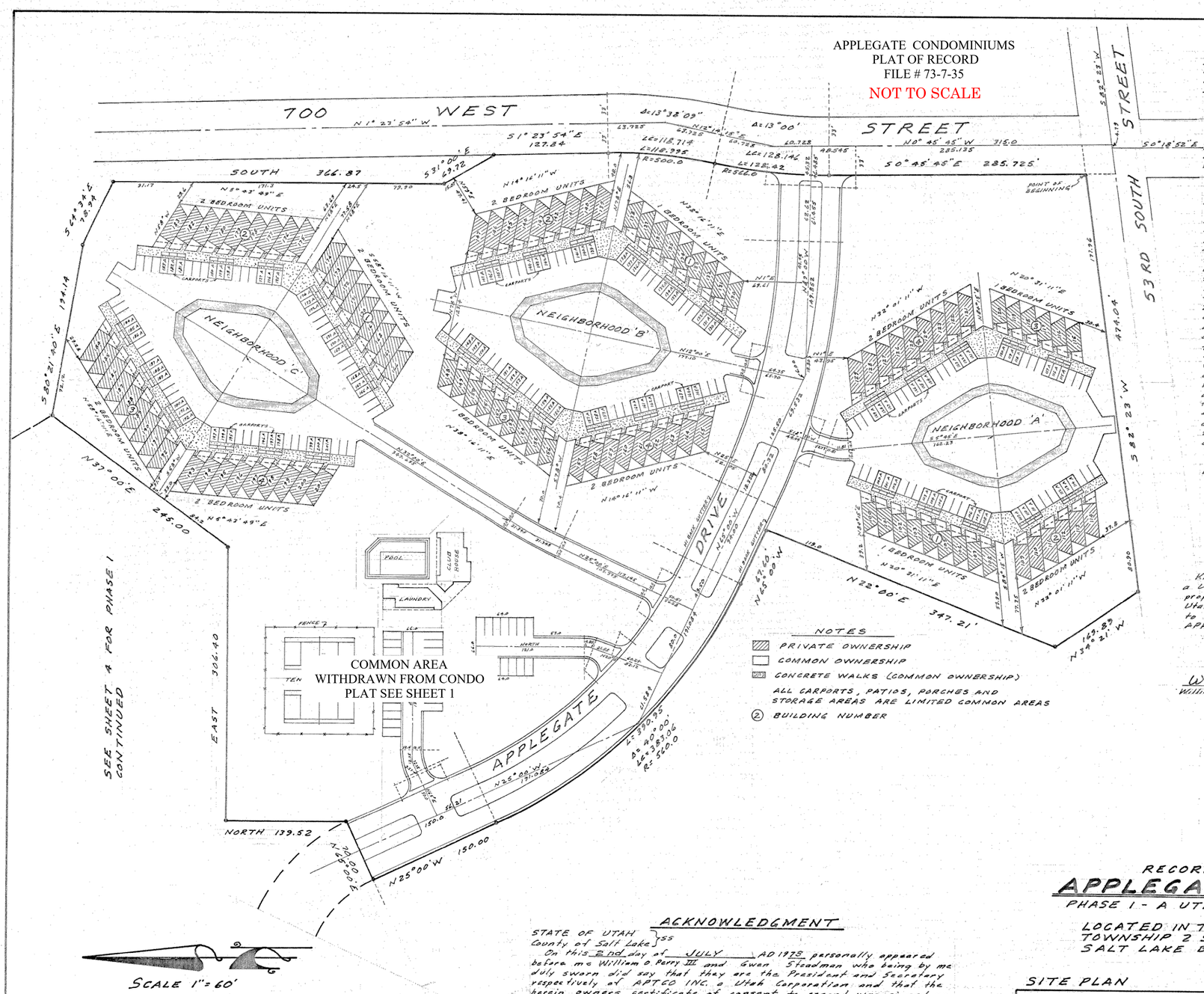
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF_____

DATE_____ TIME:_____ BOOK:_____ PAGE:_____

_____ _____
FEE DEPUTY SALT LAKE COUNTY RECORDER

NUMBER_____
ACCOUNT____
SHEET 1
OF_6_SHEETS

APPLEGATE CONDOMINIUMS
PLAT OF RECORD
FILE # 73-7-35
NOT TO SCALE



NOTES
- PRIVATE OWNERSHIP
- COMMON OWNERSHIP
- CONCRETE WALKS (COMMON OWNERSHIP)

ALL CARPORTS, PATIOS, PORCHES AND STORAGE AREAS ARE LIMITED COMMON AREAS

(2) BUILDING NUMBER

SCALE 1" = 60'

SURVEYOR'S

I ROBERT B. JONES a
holding Certificate No.
I have surveyed the fo
I further certify that th
correctly describes the
been or will be constru
CONDOMINIUMS PHAS
Project in accordance
Ownership Act. I furt
markers as shown on t
as shown and are suffi
re-establish this surve

Beginning at a point
30.04 feet from the Sou
11, Township 2 South,
Base and Meridian and
474.04 feet; thence N
N 22°00'E 347.21 fee
feet to a point of a
the right; thence Nort
of said curve 390.95
tangency; thence N 25
N25°00'E 70.00 feet
feet; thence East 3
245.00 feet to a point
erly bank of a drain
along said bank 194.14
along said bank 78.94
feet; thence S 31°00'E
line of a Murray City
west line as follows
a point of a 500.00 fo
right; thence Southerly
curve 118.395 feet to a
to the left; the radius
45°E 556.00 feet; the
of said curve, 128.42 f
thence S0°45'45"E
at beginning. Contai

Date July 2, 1973

OWNER'S CE
OF CONSENT

Know all men by these pr
a Utah Corporation, is the
property described herein
Utah Condominium Owner
to the recordation of th
APPLEGATE CONDOMINIU

APTCO
a Utah Corpo

William O. Perry III
William O Perry III President

ACKNOWLEDGMENT

STATE OF UTAH } ss
County of Salt Lake }

On this 2nd day of JULY, AD 1973 personally appeared before me William O Perry III and Gwen Steadman who being by me duly sworn did say that they are the President and Secretary respectively of APTCO INC. a Utah Corporation and that the herein owners certificate of consent to record was signed on behalf of said corporation by authority of its by-laws or a resolution of its Board of Directors, and said William O Perry III and Gwen Steadman acknowledged to me that said corporation executed the same

My Commission Expires June 7, 1965
Residing in Salt Lake County.

H. B. Puddicombe
Notary Public

RECORD OF SURVEY
APPLEGATE COND
PHASE 1 - A UTAH CONDOMINI

LOCATED IN THE SE 1/4 OF SE
TOWNSHIP 2 SOUTH, RANGE
SALT LAKE BASE AND MERID

SITE PLAN

PREPARED BY
BUSH & GUDGELL INC.
ENGINEERS-SURVEYORS
555 SOUTH 3RD EAST ST.
SALT LAKE CITY, UTAH
84111 PHONE 364-7776

B & G 26160 ERH

RECO
STATE OF UTA
RECORDED AND
McGhie Land
DATE 3 July 1973 7:1
$ 13.60 FEE

AMENDMENT TO APPLEGATE CONDOMINIUMS

AMENDING THE APPLEGATE CONDOMINIUMS FILE # 73-7-35. FOR PURPOSES TO WITHDRAWAL A PORTION OF THE COMMON AREA. LOCATED IN SALT LAKE COUNTY, UTAH SOUTHEAST QUARTER OF SECTION 11 TOWNSHIP 2 SOUTH, RANGE 1 WEST SALT LAKE BASIN MERIDIAN

PLAT NOTES:
1. This amended plat was created only for the specific purpose to remove a portion of the common area as shown on the 1973 Applegate condominiums plat. Overall plotted boundaries have been located and cross-referenced with the adjoining subdivision plats, surveys, and deeds as they are adjoined, measured, as shown. Found dimension differences are shown hereon as record vs. measured.
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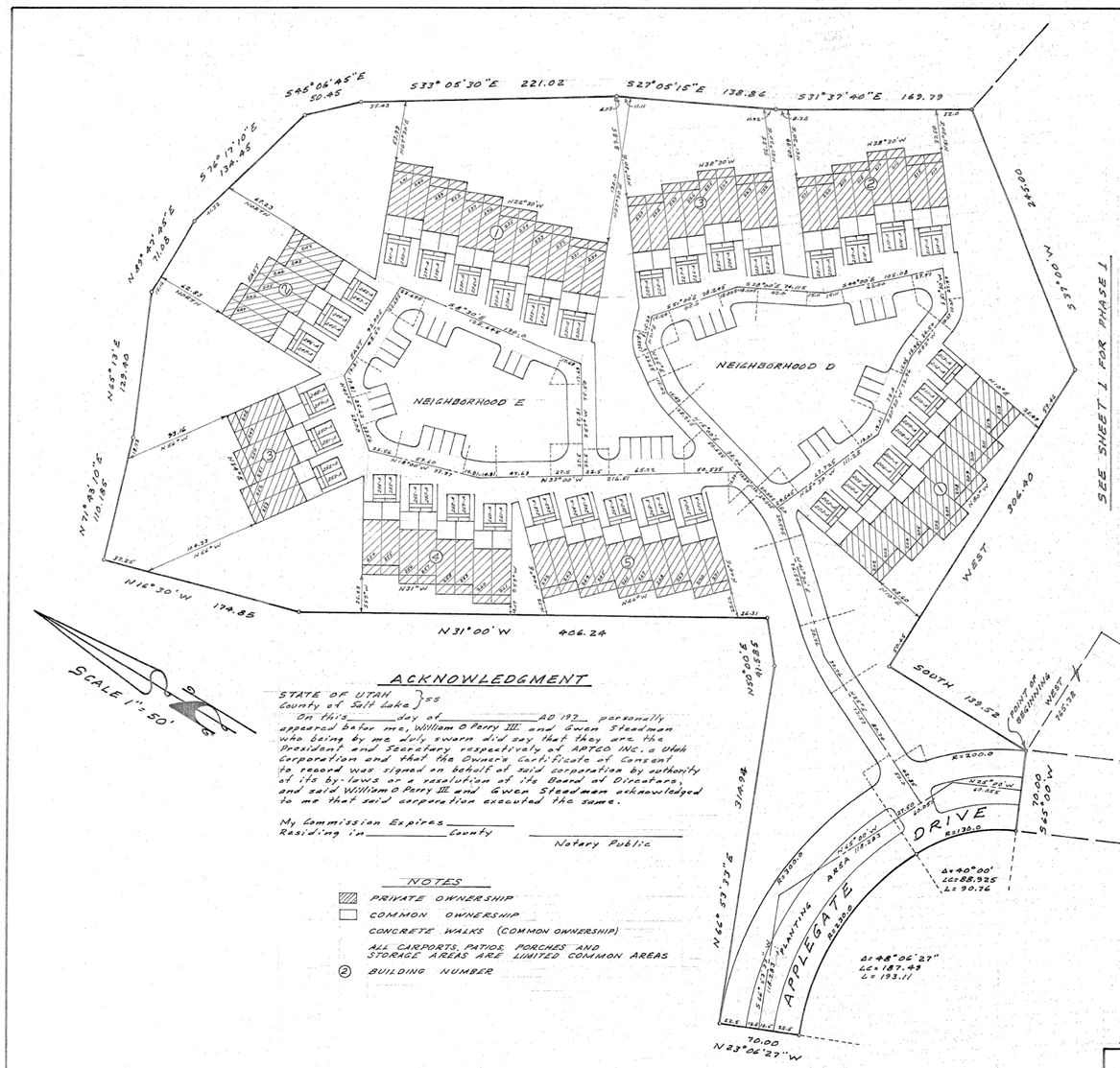
JOHANSON PROFESSIONAL LAND SURVEYORS
SURVEY• DESIGN• SEPTIC• PLANNING
SURVEYING
P.O. BOX 18941
SALT LAKE CITY, UTAH 84118
Shane Johanson P.L.S. 801-815-2541

SALT LAKE COUNTY RECORDED #_____
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF_____
DATE_____ TIME:_____ BOOK:_____ PAGE:_____
_____ FEE _____ SALT LAKE COUNTY RECORDER

NUMBER_____
ACCOUNT_____
SHEET 2
OF 6 SHEETS

APPLEGATE CONDOMINIUMS
PLAT OF RECORD
FILE # 73-7-35
NOT TO SCALE



SURVEYOR'S CERTIFICATE

I Robert B Jones a Registered Utah Land Surveyor holding Certificate No. 1525 do hereby certify that I have surveyed the following described tract of land. I further certify that the following description correctly describes the land surface upon which has been or will be constructed the APPLEGATE CONDOMINIUMS Phase I a Utah Condominium Project in accordance with the Utah Condominium Ownership Act. I further certify that the reference markers as shown on this plat are or will be located as shown and are sufficient to readily re-trace or re-establish this survey

Beginning at a point North 1101.91 feet and West 765.38 feet from the Southeast Corner of Section 11 Township 2 South, Range 1 West, Salt Lake Base and Meridian and running thence S55°00'W 70.00 feet to a point of a curve to the left; the radius point of which is S65°00'W 130.00 feet; thence Northwesterly along the arc of said curve 90.76 feet to a point of a compound curve to the left, the radius point of which is S25°00'W 230.00 feet; thence westerly along the arc of said compound curve 193.11 feet; thence N 23°06'27" W 70.00 feet; thence N66°53'33"E 314.94 feet; thence N 0°00'5" 91.625 feet; thence N31° 00'W 406.24 feet; thence N16°30'W 174.85 feet; thence N 71°43'10"E 110.185 feet; thence N65°13'E 129.40 feet; thence N89°42'45"E 71.08 feet; thence S76°17'10"E 134.45 feet; thence S45°06'45"E 50.45 feet; thence S33°05'30"E 221.02 feet; thence S 27°05'15"E 138.86 feet; thence S 31°37'40"E 149.79 feet; thence S37°00'W 245.00 feet thence West 306.40 feet; thence South 139.52 feet to the point of beginning. Contains 8.647 ACRES

Date July 2, 1973

Robert B. Jones
Surveyor No 1525

OWNER'S CERTIFICATE OF CONSENT TO RECORD

Know all men by these presents that APTCO INC. a Utah corporation is the record owner of the real property described herein and that, pursuant to the Utah Condominium Ownership Act, it hereby consents to the recordation of this Record of Survey Map of APPLEGATE CONDOMINIUMS Phase I

APTCO INC.
A UTAH CORPORATION

William O. Perry III — Gwen Steadman

William O Perry III President — Gwen Steadman - Secretary

ACKNOWLEDGMENT

STATE OF UTAH }
County of Salt Lake } ss

On this ____ day of ____ AD 197__ personally appeared before me, William O Perry III and Gwen Steadman who being by me duly sworn did say that they are the President and Secretary respectively of APTCO INC. a Utah Corporation and that the Owners Certificate of Consent to record was signed on behalf of said corporation by authority of its By-laws or a resolution of its Board of Dirnators, and said William O Perry III and Gwen Steadman acknowledged to me that said corporation executed the same.

My Commission Expires ____
Residing in ____ County

Notary Public

NOTES

- PRIVATE OWNERSHIP
- COMMON OWNERSHIP
- CONCRETE WALKS (COMMON OWNERSHIP)
- ALL CARPORTS, PATIOS, PORCHES AND STORAGE AREAS ARE LIMITED COMMON AREAS
- (2) BUILDING NUMBER

RECORD OF SURVEY MAP OF

APPLEGATE CONDOMINIUMS

PHASE I CONTINUED - A UTAH CONDOMINIUM PROJECT

LOCATED IN THE SE 1/4 OF SECTION 11
TOWNSHIP 2 SOUTH, RANGE 1 WEST
SALT LAKE BASE AND MERIDIAN

SITE PLAN

SHEET 4 OF 5 SHEETS

PREPARED BY
BUSH & GUDGELL INC.
ENGINNERS-SURVEYORS
555 SOUTH 3RD EAST ST.
SALT LAKE CITY, UTAH
84111 PHONE 364-7775

8 i 6 26160 ERJ

RECORDED 255/663

STATE OF UTAH - COUNTY OF SALT LAKE
RECORDED AND FILED AT THE REQUEST OF
McGhie Land Title

DATE 3 July 1973 TIME 12:03 BOOK 73-7 PAGE 35
$ 13.00 FEE
Geraldine Martin
SALT LAKE COUNTY RECORDER

73-7-35

AMENDMENT TO APPLEGATE CONDOMINIUMS

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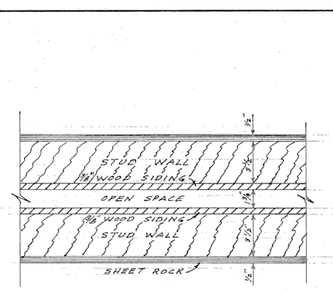
P.O. BOX 18941
SALT LAKE CITY, UTAH 84118
Shane Johanson P.L.S. 801-815-2541

SALT LAKE COUNTY RECORDED # ____
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF ____
DATE ____ TIME: ____ BOOK: ____ PAGE: ____
FEE ____ SALT LAKE COUNTY RECORDER

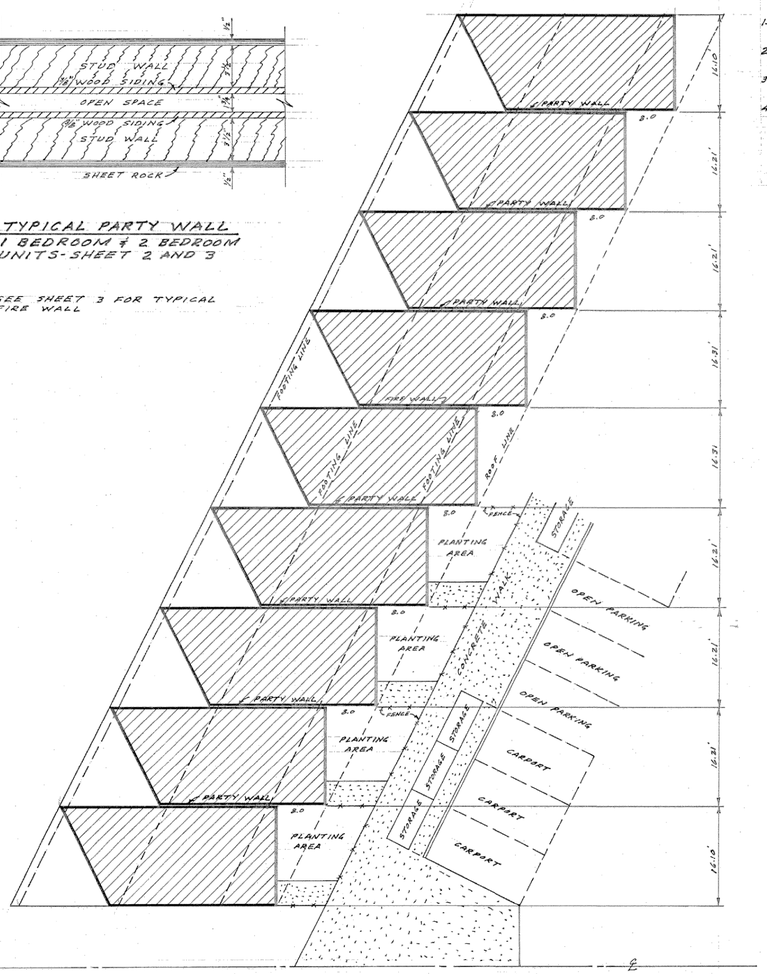
NUMBER ____
ACCOUNT ____
SHEET 3
OF 6 SHEETS

APPLEGATE CONDOMINIUMS
PLAT OF RECORD
FILE # 73-7-35
NOT TO SCALE



TYPICAL PARTY WALL
1 BEDROOM & 2 BEDROOM
UNITS-SHEET 2 AND 3

SEE SHEET 3 FOR TYPICAL FIRE WALL



TYPICAL 1 BEDROOM UNIT

SCALE 1"=10'

NOTES

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2- ALL AREAS CROSS HATCHED ARE PRIVATE OWNERSHIP
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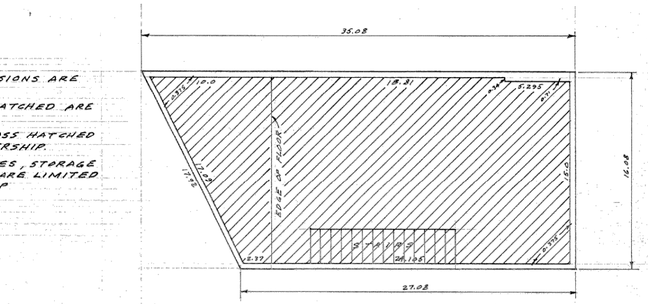
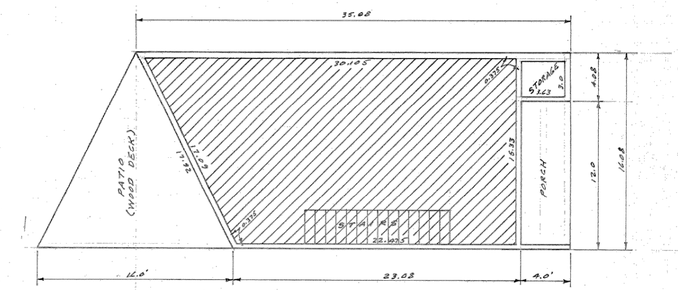
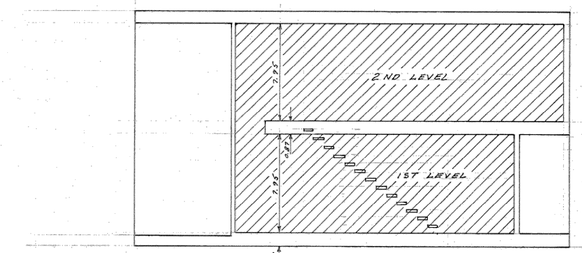


2 ND LEVEL
1 BEDROOM UNIT
SCALE 1"=5'



1ST LEVEL
1 BEDROOM UNIT
SCALE 1"=5'



ELEVATION
1 BEDROOM UNIT
SCALE 1"=5'

APPLEGATE CONDOMINIUMS

PHASE 1- A UTAH CONDOMINIUM PROJECT

SHEET 2 OF 5 SHEETS

CERTIFICATION
I CERTIFY THAT THE BUILDING SPECIFICATIONS OF THE 1 BEDROOM UNIT OF APPLEGATE CONDOMINIUMS PHASE 1 ARE OR WILL BE AS SHOWN ON THIS PLAT

ROBERT B JONES
SURVEYOR No 1525

PREPARED BY
BUSH & GUDGELL INC.
ENGINEERS-SURVEYORS
555 SOUTH 3RD EAST ST.
SALT LAKE CITY, UTAH
84111 PHONE 364-7775

8 6 26160 ERH

RECORDED 255/663
STATE OF UTAH COUNTY OF SALT LAKE
RECORDED AND FILED AT THE REQUEST OF
McGhie Land Title
DATE 3 July 1973 TIME 12:53 BOOK 73-7 PAGE 35
$136.00 FEE
Geraldine Martin
SALT LAKE COUNTY RECORDER

AMENDMENT TO APPLEGATE CONDOMINIUMS

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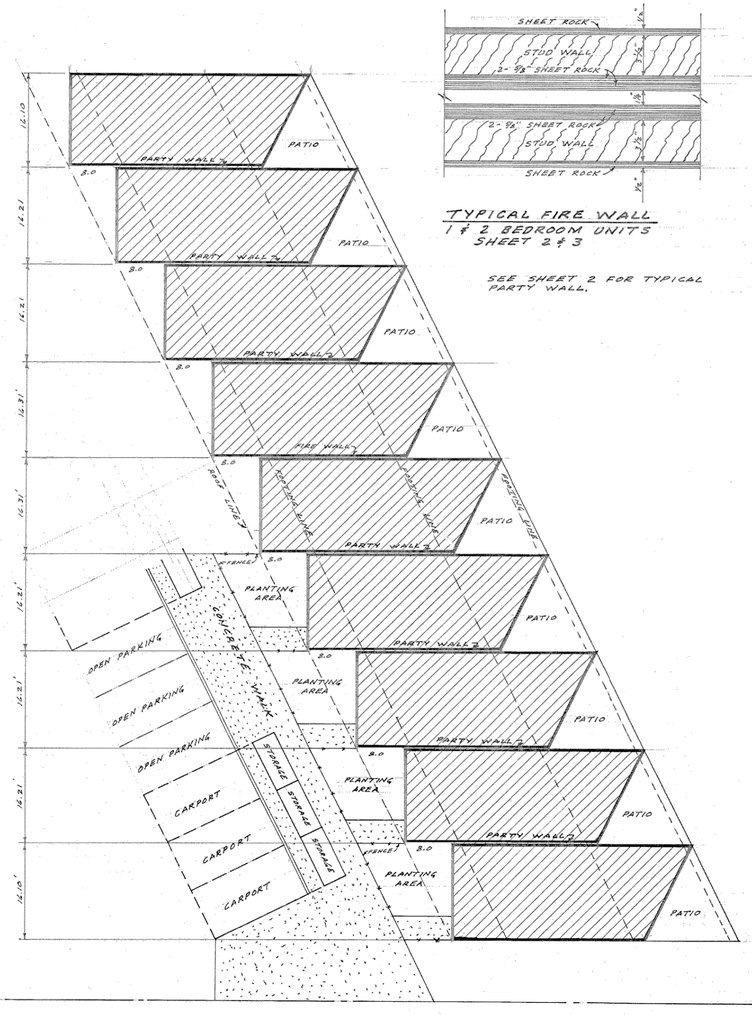
JOHANSON PROFESSIONAL LAND SURVEYORS
SURVEY• DESIGN• SEPTIC• PLANNING
SURVEYING
P.O. BOX 18941
SALT LAKE CITY, UTAH 84118
Shane Johanson P.L.S. 801-815-2541

SALT LAKE COUNTY RECORDED #_____
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF_____
DATE_____ TIME:_____ BOOK:_____ PAGE:_____
FEE
SALT LAKE COUNTY RECORDER

NUMBER_____
ACCOUNT_____
SHEET 4
OF 6 SHEETS

APPLEGATE CONDOMINIUMS
PLAT OF RECORD
FILE # 73-7-35
NOT TO SCALE

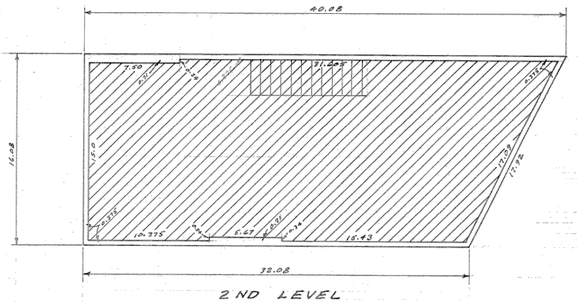


TYPICAL 2 BEDROOM UNIT

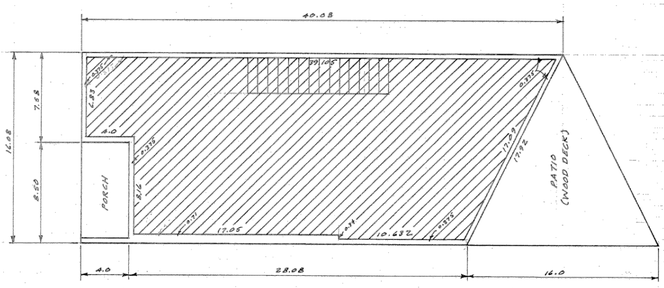
SCALE 1" = 10'

TYPICAL FIRE WALL
1 & 2 BEDROOM UNITS
SHEET 2 & 3

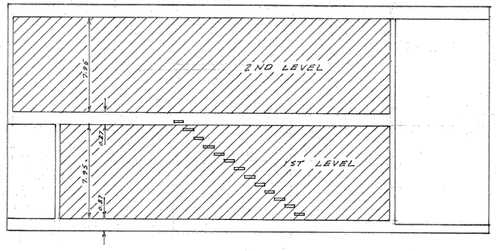
SEE SHEET 2 FOR TYPICAL PARTY WALL.



2 ND LEVEL
2 BEDROOM UNIT



1 ST LEVEL
2 BEDROOM UNIT



ELEVATION
2 BEDROOM UNIT
SCALE 1"=6'

NOTES

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BUILDING ELEVATIONS

BUILDING NUMBER	1ST LEVEL FLOOR	1ST LEVEL CEILING	2ND LEVEL FLOOR	2ND LEVEL CEILING
NEIGHBORHOOD A				
A-1	4301.92	4309.85	4310.92	4318.67
A-2	4301.81	4309.76	4310.83	4318.58
A-3	4301.88	4309.83	4310.90	4318.65
A-4	4301.88	4309.83	4310.90	4318.65
NEIGHBORHOOD B				
B-1	4300.94	4307.99	4308.86	4316.81
B-2	4300.86	4308.01	4308.88	4316.83
B-3	4300.86	4308.01	4308.88	4316.83
B-4	4300.86	4308.01	4308.88	4316.83
NEIGHBORHOOD C				
C-1	4295.68	4303.63	4304.60	4312.45
C-2	4295.56	4303.51	4304.58	4312.33
C-3	4295.63	4303.58	4304.45	4312.40
C-4	4295.67	4303.62	4304.49	4312.44

BENCH MARK-
MONUMENT AT 53RD SOUTH & 700 WEST ELEV 4296.44 AS PER SALT LAKE COUNTY SURVEYORS OFFICE

APPLEGATE CONDOMINIUMS

PHASE I - A UTAH CONDOMINIUM PROJECT

SHEET 3 OF 5 SHEETS

CERTIFICATION

I CERTIFY THAT THE BUILDING SPECIFICATIONS OF THE 2 BEDROOM UNIT OF APPLEGATE CONDOMINIUMS PHASE I ARE OR WILL BE AS SHOWN ON THIS PLAT.

Robert D. Hibbs
ROBERT D. HIBBS
SURVEYOR NO. 1226

PREPARED BY
BUSH & GUDGELL INC.
ENGINEERS-SURVEYORS
555 SOUTH 3RD EAST ST.
SALT LAKE CITY, UTAH
84111
PHONE 364-7775

B&G 26160 ERJ

RECORDED 255/663

STATE OF UTAH, COUNTY OF SALT LAKE
RECORDED AND FILED AT THE REQUEST OF
McGhie Land Title

DATE 3 July 1973 TIME 12:53 BOOK 73-7 PAGE 35
$1.36 FEE
Jonathan Taylor
SALT LAKE COUNTY RECORDER

73-7-35

AMENDMENT TO APPLEGATE CONDOMINIUMS

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SURVEY• DESIGN• SEPTIC• PLANNING
SURVEYING

P.O. BOX 18941
SALT LAKE CITY, UTAH 84118
Shane Johanson P.L.S. 801-815-2541

SALT LAKE COUNTY RECORDED #_____
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF_____

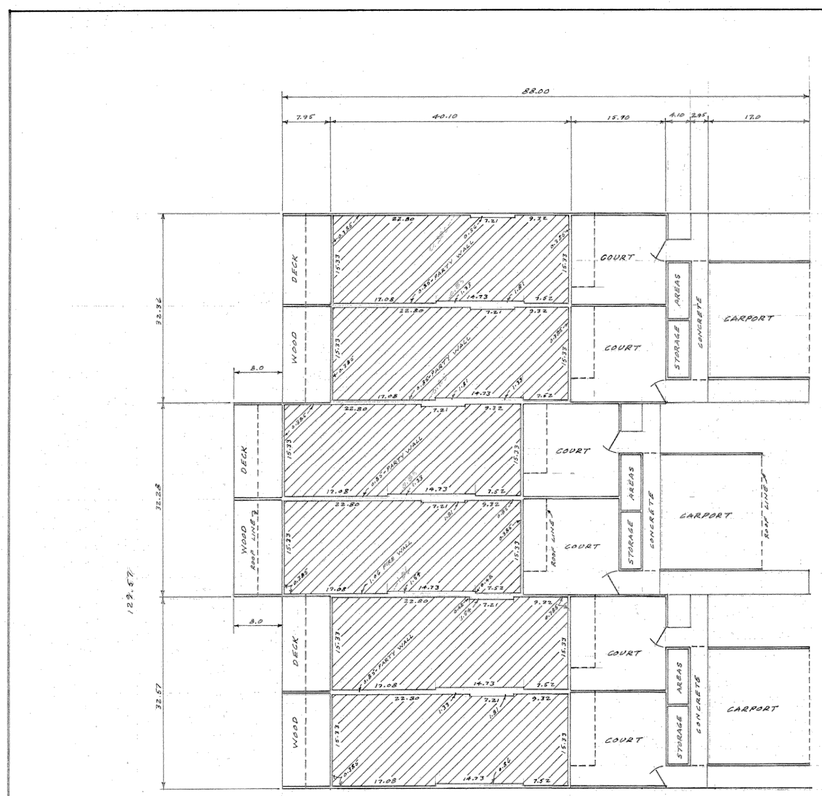
DATE_____ TIME:_____ BOOK:_____ PAGE:_____

_____ FEE

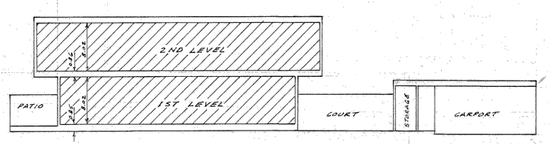
_____ SALT LAKE COUNTY RECORDER

NUMBER_____
ACCOUNT_____
SHEET 5
OF 6 SHEETS

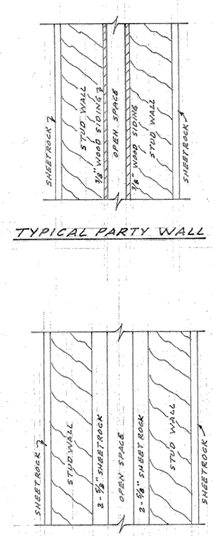
APPLEGATE CONDOMINIUMS
PLAT OF RECORD
FILE # 73-7-35
NOT TO SCALE



TYPICAL 1ST LEVEL
SCALE 1"=10'



TYPICAL SECTION VIEW
3 BEDROOM UNIT
SCALE 1"=10'



TYPICAL PARTY WALL

TYPICAL FIRE WALL

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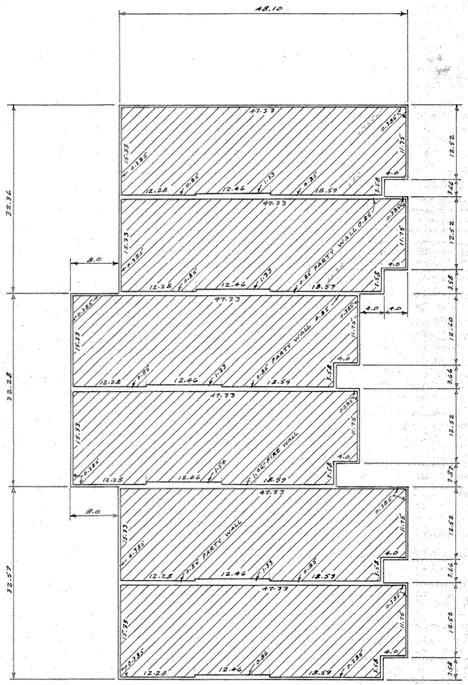
Robert B Jones
ROBERT B JONES
SURVEYOR No 1525

BUILDING ELEVATIONS

	NEIGHBORHOOD D			
BUILDING NO	1ST LEVEL		2ND LEVEL	
	FLOOR	CEILING	FLOOR	CEILING
D-1	4292.60	4300.42	4301.48	4307.50
D-2	4293.50	4301.52	4302.38	4310.40
D-3	4293.50	4301.52	4302.38	4310.40
	NEIGHBORHOOD E			
E-1	4296.50	4304.52	4305.38	4313.40
E-2	4295.50	4303.52	4304.38	4312.40
E-3	4296.00	4304.02	4304.88	4312.90
E-4	4296.50	4304.52	4305.38	4313.40
E-5	4295.50	4303.52	4304.38	4312.40

BENCH MARK
MONUMENT AT 53RD SOUTH AND 700 WEST
ELEV 4296.44 AS PER SALT LAKE COUNTY SURVEYORS OFFICE



TYPICAL 2ND LEVEL
SCALE 1"=10'

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APPLEGATE CONDOMINIUMS

PHASE I-CONTINUED A UTAH CONDOMINIUM PROJECT

SHEET 5 OF 5 SHEETS

RECORDED 255/663
STATE OF UTAH, COUNTY OF SALT LAKE
RECORDED AND FILED AT THE REQUEST OF
McGhie Land Title
DATE 3 July 1973 TIME 12:53 BOOK 73-7 PAGE 35
FEE $ 13.00
Geraldine Martin
SALT LAKE COUNTY RECORDER

73-7-35

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_____ FEE
_____ SALT LAKE COUNTY RECORDER

NUMBER_____
ACCOUNT_____
SHEET 6
OF 6 SHEETS

KIRTON | McCONKIE

Ryan Wallace
50 E. South Temple, Suite 400
Salt Lake City, UT 84111
rtwallace@kmclaw.com
(801) 350-7633

June 6, 2023

Via Email

Murray City Planning Commission
Attn: Susan Nixon
Jared Hall
5025 S State Street
Murray, Utah 84107
Email: snixon@murray.utah.gov
jhall@murray.utah.gov

Planning Commission Members:

We represent Applegate LLC ("Applicant") who is the applicant on that certain Conditional Use Permit Application for the Fuji Townhomes (the "Application") that is to be addressed by the Planning Commission in its meeting on June 15, 2023. While Applicant is encouraged by the staff recommendation to approve the Application, the report included two conditions that we view as improper and illegal. Specifically, we are concerned about condition 1(h), which requires that Applicant "provide at least two full accesses to and from the development – City Code 16.16.170" (the "Access Condition"), and condition 7, which requires that "[t]he applicant shall install an eight foot (8') solid masonry wall as required adjacent to all single-family dwellings" (the "Wall Condition"). We discuss both of these requirements below.

I. Access Condition

Murray City Code 16.16.170(B)(1) provides that "Any residential subdivision development of more than thirty (30) single- or two-family dwellings shall have access to and from at least two (2) existing or proposed streets." The Application provides for access to and from at least two existing streets, specifically Spring Clover Drive on the west and 700 West on the east, thus complying with Murray City Code. However, Murray City staff have attempted to add language to Section 16.16.170 requiring "full" or "unrestricted" access to and from these roadways. Although those words are not found in Section 16.16.170, Murray City staff have added these extra-legislative "requirements" to attempt to prohibit Applicant from placing a two-way gate across Applegate Drive at the location depicted on Schedule A to this letter (the "Gate"). Without providing any legal justification the City Staff has argued that gated access does not satisfy the requirements of Section 16.16.170.

Gated access is not prohibited by Murray City Code as applicable to this development. The Applicant's development is located in the R-M-15 Zone and there are not any code sections applicable to the R-M-15 zone that prohibit gated access roads. The City Code does include prohibitions on gated access in some zones, such as the Murray City Center District (*see* Murray Code § 17.170.100(E) "All streets and sidewalks shall be available for general public use and access and not gated"), but Murray City has decided not to include similar restrictions in the R-M-15 Zone. Therefore, no such prohibition exists. Under Utah law, "because zoning ordinances are in derogation of a property owner's common-law right to unrestricted use of his or her property, provisions therein restricting property uses should be strictly construed in favor of the property owner." Hugoe v. Woods Cross City, 1999 UT App 281, ¶ 8, 988 P.2d at 458. Since the City has decided to impose restrictions on gated access in some zones but not in others, the City Code (as applicable to the R-M-15 Zone) must be interpreted to permit gated access roads.

Further, there are a number of gated communities located in Murray City where either one or all access roads are gated. Attached as Schedule B is a list of some of these gated communities located in the City. While the City staff has attempted to distinguish these gated access communities, claiming that a number of them were constructed when they were not part of Murray City but were part of Salt Lake County, they have not been able to explain why Murray Depot, Metro at Fireclay, Birkhill, Birkhill on Main, or Cottage Cove were provided gates but this development should not. For each of these developments, all vehicular access is gated, which presumes that access of that nature is permitted in the City of Murray, especially since it is not prohibited by City Code.

Finally, gated access roads are permitted by the International Fire Code (IFC). IFC (2021) Section D 103.5 specifically provides the criteria for fire apparatus access road gates and Murray City has not explained why these criteria would not be protective of health, safety, or welfare. While Section 16.16.170B4 of the City Code does provide that "access requirements should not be construed to limit the city's authority to impose greater access requirements for residential areas if, in the opinion of the city engineer or city fire marshal, the extent of existing and predicted residential development in a given area requires additional street access," neither the city engineer or city fire marshal have provided any reasons why "predicted residential development" would require additional street access. This is an infill project surrounded by developed properties so it is highly unlikely that future development would create a circumstance that would cause a standard fire access gate to be unsafe or unmanageable.

For all of these reasons, we think that Utah law supports the Applicant's placement of a two-way, restricted access gate in its development and do not think that Murray City is legally permitted to prohibit gated access in this instance.

II. Wall Condition

The staff report requires that "[t]he applicant shall install an eight foot (8') solid masonry wall as required adjacent to all single-family dwellings." However, we have been unable to find any provision in the City Code that requires a wall of this height or that requires masonry as

opposed to other materials. Some provisions of the City Code require a six foot (6') high solid masonry wall when a commercial zone abuts a residential zone (*see, e.g.*, § 17.144.140) (fencing regulations for the General Office District). Likewise, City Code Section 17.64.090(D) provides that "[t]he Planning Commission is authorized to grant additional fence height for buffer fencing between commercial and residential zoning districts to a maximum height of eight feet (8')." We are perplexed as to why the City staff is treating the R-M-15 Zone as a commercial zone and/or the development contemplated by the Application as a commercial development. Further, we think it unreasonable and illegal to impose the maximum height imposable on a commercial development on this residential development.

Likewise, we do not think that the City can legally require a specific material type (masonry) in this instance because neither the zone nor the development is commercial in nature. Section 17.64.010 provides that the "purpose for fence regulation provisions is to allow a wide variety of fence styles and construction to promote property security, privacy, and architectural compatibility." While pursuant to Section 17.56.060 of the City Code, the planning commission may impose conditions on the issuance of a conditional use permit including, but not limited to, . . . screening or landscaping to protect adjacent properties," such conditions must be designed to "reasonably mitigate anticipated detrimental effects created by the conditional use." (*see* Utah Code 10-9a-507). Here, the City has not identified any detrimental effects created by the development or specified how the requirement of an 8' masonry wall (typically reserved for commercial developments) mitigates any detrimental effects that a 6' vinyl fence (Applicant's preference) could not. As seen in Schedule C, due to the grade differential between the development and the surrounding neighborhood, a 6' fence would have virtually the same impact on site lines and screening as an 8' fence would. Further, masonry is much more expensive than vinyl and does not provide any increased screening benefits. Additionally, the surrounding R-1-8 Zone of the neighboring properties allows for 35' tall building heights and the current development is only 30'. Accordingly, there are not any detrimental impacts on the surrounding properties that would not be caused by permitted single family residences. Finally, a masonry wall would be out of place and not in harmony with the surrounding properties when all of the fencing currently surrounding the Applegate development is chain-link or wood. For all of these reasons, we ask that the planning commission permit the Application to be approved with the condition for a 6' vinyl fence along the property boundaries.

In short, we do not think that either the Access Condition or Wall Condition are legal requirements or conditions that can be imposed on this Application. We look forward to discussing these issues with at the planning commission meeting on June 15, 2023. Please do not hesitate to reach out to me if you have any questions or comments.

Sincerely,

Ryan Wallace

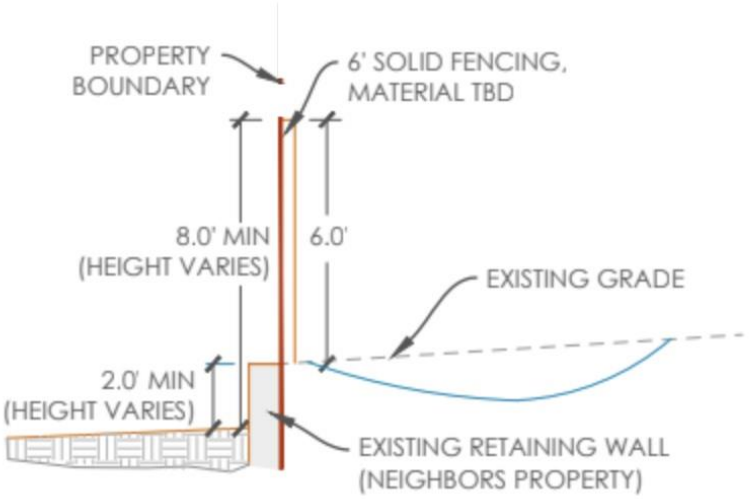
Schedule A

EX. CLUBHOUSE
N01° 00' 00"E
84.59'
67.34'
N46° 00' 00"W
71.53'
N90° 00' 00"W
N59° 00' 00"W
44.70'
D=42.1305
L=96.162', R=130.776
INSTALL "NO PARKING" SIGN
SECTION A-A
INSTALL STREET LIGHT (MURRAY CITY APPROVED)
INSTALL STOP SIGN
INSTALL MURRAY ADA RAMP
FIRE TURN AROUND AREA
162.46'
N14° 27' 43"W
SPEED LIMIT SIGN (25 MPH)
INSTALL "NO PARKING" SIGN
INSTALL STREET LIGHT (MURRAY CITY APPROVED)
D=28.4111
L=277.686', R=560.000
N25° 17' 51"E
65.02'
CONTROLLED ACCESS GATE. ACCESSIBLE FROM BOTH SIDES
S65° 02' 02"E
67.60'
S65° 17' 37"E
46.72'
TUS ACCESS ROAD GATE NOTES:
HICLE AND PEDESTRIAN ACCESS FOR FUJI AND APPLEGATE RESIDENTS.
FIRE APPARATUS ACCESS GATE ACCORDING TO INTERNATIONAL FIRE
FC. (D103.5 FIRE APPARATUS ACCESS ROAD GATES.

Schedule B

Subdivision	Gate Location
Farm Hill Subdivision	
Primary Gated Access:	S Farm Hill Dr & 5600 S
Secondary Gated Access:	S Weathervane Dr & 5600 S
Cottage Cove Subdivision	
Primary Gated Access:	Cottage Wood Ln & Atwood Blvd
Monte Cristo Townhomes	
Primary Gated Access:	E Monte Cristo Dr & S Highland Dr
Tall Oaks Subdivision	
Secondary Gated Access:	S Tall Oaks Ln &. Vine St
Cobble Creek Subdivision	
Primary Gated Access:	Cobble Creek Rd & S 1300 E
Waterbury Subdivision	
Primary Gated Access:	S Waterbury Way & 5600 S
Secondary Gated Access:	Waterbury Dr & Deauville Ave
Murray Depot	
Primary Gated Access:	W Fireclay Ave
Secondary Gated Access:	W Gilbride Ave
Metro at Fireclay	
Primary Gated Access:	W Edison Ave
Secondary Gated Access:	W Edison Ave
Birkhill	
Primary Gated Access:	E Gilbride Ave
Birkhill on Main	
Primary Gated Access:	S Jummer Way

Schedule C



SECTION B-B - PERIMETER FENCING

DRAWING TITLE

OVERALL SITE PLAN

CLEINT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS
PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

DENSITY CALCULATIONS:

TOTAL PROJECT AREA = 222,621 SQFT.
5.11 ACRES

DENSITY UNITS/ACRE = 42 UNITS
5.11 ACRES

UNITS/ACRE = 8.2 OR 8 ACRES/UNIT

N

S

40 0 20 40 80

Scale (24" x 36") 1 in. = 40 FT.

REVISIONS:

REV #	DESCRIPTION	DATE

WEBER ENGINEERING COLLECTIVE

CIVIL• PLANNING• SURVEYING

SALT LAKE CITY, UTAH
PHONE (385) 229-9663

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PROJECT NO. W-18-15
DATE 04/19/23
DRAWN BY: JACOB WEBER, P.E.
CKD BY:
SHEET NUMBER C-04

FUJI Townhomes

MURRAY, UTAH

VICINITY MAP*

DETAIL CALLOUTS

C-1 / D-01	ADA ACCESS SIDEWALK RAMP
C-2 / D-01	SIDEWALK DRIVE APP. S.W. RAMP
C-3 / D-01	CATCH BASIN AND CLEANOUT
C-5 / D-01	ROADWAY DETAILS
C-4 / D-02	COMBINATION IN. CLEANOUT BOX
C-6 / D-02	MANHOLE AND VALVE COLLAR
C-7 / D-02	TRENCH BACKFILL
C-5 / D-02	POST AND SIGN MOUNTING DETAIL
MCW-07 / D-03	SANITARY SEWER MANHOLE
MCW-09 / D-03	DROP MANHOLE
MCW-10 / D-03	MANHOLE COLLAR
MCW-12 / D-03	SEWER LATERAL AND C.O.
MCW-13 / D-03	CLEANOUT DETAIL
MCW-15 / D-03	TRENCH DETAIL

Blue Stakes of UTAH 811 — Always Call Before You Dig

*VICINITY MAP PROVIDED FROM GOOGLE MAPS.

INFORMATION

DEVELOPER

APPLEGATE LLC

CIVIL ENGINEER

WEBER ENGINEERING COLLECTIVE
SALT LAKE CITY, UTAH
PH. 385-229-9663

SURVEYOR

JOHANSON SURVEYING
SALT LAKE CITY, UTAH 84118
PH. 385-229-9663

CONTRACTOR

TBD

Sheet List Table

Sheet Number	Sheet Title
C-01	COVER SHEET
C-02	OVERALL DEMO PLAN
C-03	PARKING EXHIBIT
C-04	OVERALL SITE PLAN
C-05	SITE PLAN
C-06	MURRAY CITY SAFETY PLAN
C-07	DRAINAGE PLAN
C-08	GRADING PLAN
C-09	GRADING PLAN-FUJI AVENUE
C-10	GRADING PLAN-FUJI AVENUE
C-11	UTILITY PLAN
C-12	FUJI AVE PP STA 10+00 - 15+00
C-13	FUJI AVE PP STA 15+00-20+00
C-14	FUJI AVE PP STA 20+00-22+80
C-15	FUJI ACCESS DRIVE PP
EC-02	PH2 EC PLAN
EC-01	PH1 EC PLAN
EC-03	EC DETAILS
D-01	DETAILS
D-02	DETAILS
D-03	SEWER DETAILS
D-04	WATER DETAILS

NOTICE TO CONTRACTOR

CAUTION TO THE CONTRACTOR NOTE THAT THE ELEVATION AND OR LOCATION OF EXISTING UTILITIES SHOWN ON THESE PLANS IS BASED ON RECORDS FROM PUBLIC UTILITIES AND PRIVATE UTILITY COMPANY MARKINGS AND WHERE POSSIBLE MEASUREMENTS TAKEN IN THE FIELD. THIS INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR IS RESPONSIBLE TO CONTACT THE UTILITY LOCATION COMPANY AT LEAST .. HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATIONS OF THE UTILITIES. THE CONTRACTOR SHALL ALSO NOTE THAT ANY UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHALL BE RELOCATED.

DRAWING TITLE

COVER SHEET

CLEINT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS

PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

1. INSTALL WATER AND SANITARY SEWER IMPROVEMENTS ACCORDING TO MURRAY CITY AND/OR APWA 2017 STANDARDS.
2. MAINTAIN A MINIMUM 10' DISTANCE BETWEEN WATER AND SANITARY SEWER LINES.
3. MINIMUM 18" OF CLEARANCE IS REQUIRED WHERE SEWER AND WATER CROSS.
4. MINIMUM 12" OF CLEARANCE IS REQUIRED WHERE CROSSING EXISTING GAS LINE.
5. CONTRACTOR SHALL FIELD VERIFY LOCATIONS AND INVERT ELEVATIONS OF EXISTING MANHOLES AND OTHER UTILITIES BEFORE STAKING OR CONSTRUCTING ANY NEW UTILITY LINES.
6. FOUR FEET OF COVER REQUIRED OVER ALL WATER LINES.
7. CONTRACTOR RESPONSIBLE FOR OBTAINING MURRAY CITY STANDARDS AND/OR APWA 2017 SPECIFICATIONS AND CONSTRUCTION STANDARDS.
8. CONTRACTOR IS RESPONSIBLE TO OBTAIN AND FOLLOW THE SOILS REPORT AND ITS RECOMMENDATIONS (GEOTECHNICAL ENGINEERING STUDY, PROVIDED BY CMT ENGINEERING. DATED MAY 29, 2019).
9. CONTRACTOR RESPONSIBILITY TO VERIFY CIVIL SITE PLAN AND BUILDING DIMENSIONS MATCH BUILDING PLANS BEFORE STARTING CONSTRUCTION.
10. ALL UTILITY LINES SHALL BE BACKFILLED AS PER MURRAY CITY STANDARDS.
11. ALL STORM DRAIN PIPING TO BE CUT FLUSH WITH INSIDE WALL OF DRAINAGE INSIDE WALL TO BE GROUTED SMOOTH WITH A NON-SHRINK GROUT.
12. CONTRACTOR TO REPLACE ANY AREAS AROUND CONSTRUCTION SITE THAT IS DAMAGED DURING CONSTRUCTION.
13. THERE SHALL BE NO CHANGES TO THESE PLANS WITHOUT THE WRITTEN APPROVAL OF THE ENGINEER OF RECORD AND RE-SUBMITTAL OF THE PROPOSED CHANGES TO MURRAY CITY FOR REVIEW AND APPROVAL.
14. LOCATION (HORIZONTAL AND VERTICAL) OF UNDERGROUND UTILITIES SHALL BE UNCOVERED BY THE CONTRACTOR AT THE BEGINNING OF THE PROJECT TO SEE IF THEY IMPACT THE DESIGN.
15. THE CONTRACTOR IS RESPONSIBLE FOR SAFETY ON THE SITE AT ALL TIMES AND SHALL OBTAIN THE NECESSARY PERMITS TO ACCOMPLISH THE JOB.
16. CALL BLUE STAKES BEFORE YOU DIG

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PROFESSIONAL ENGINEER — No. 8018865 (2202) — JACOB EUGENE WEBER — STATE OF UTAH

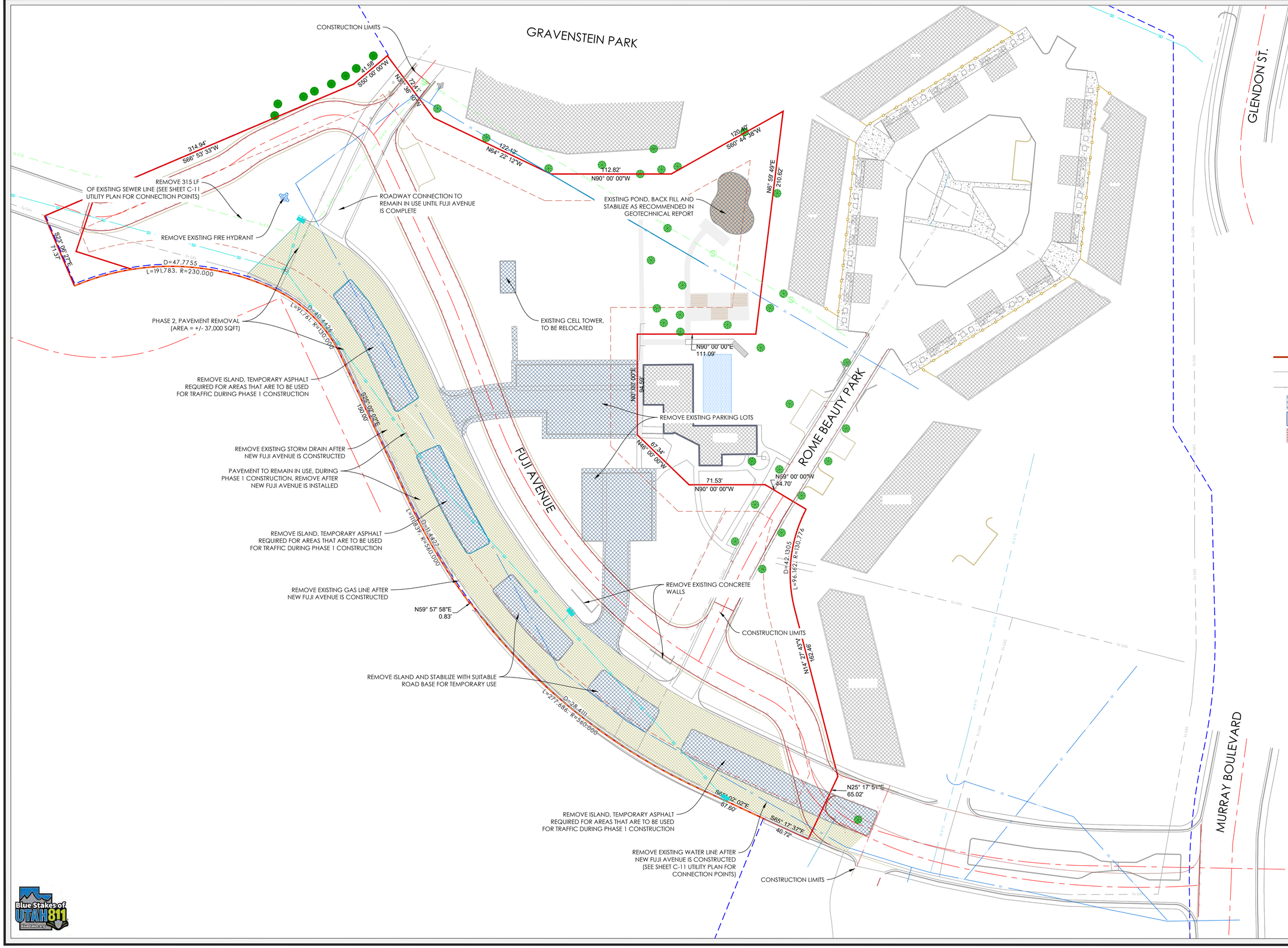
PROJECT NO. W-18-15

DATE 04/19/23

DRAWN BY: JACOB WEBER, P.E.

CKD BY:

SHEET NUMBER C-01



DRAWING TITLE

OVERALL DEMO PLAN

CLEINT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS
PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

LEGEND

- PROPERTY BOUNDARY
- EXISTING CONCRETE
- EXISTING ASPHALT
- PHASE 1 DEMOLITION (REMOVE BEFORE PH 1)
- PHASE 2 DEMOLITION (REMOVE BEFORE PH 2)
- PHASE 1 ACCESS ROUTE

N

S

40 0 20 40 80

Scale (24'' x 36'') 1 in. = 40 FT.

REVISIONS:

REV #	DESCRIPTION	DATE

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PROFESSIONAL ENGINEER
No. 6010985
(2202)
JACOB EUGENE
WEBER
STATE OF UTAH

PROJECT NO. W-18-15

DATE 04/19/23

DRAWN BY: JACOB WEBER, P.E.

CKD BY:

SHEET NUMBER C-02

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BlueStakes.org

DRAWING TITLE

PARKING EXHIBIT

CLEINT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS
PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

ADDITIONAL PARKING STALLS:

-BALDWIN PARK
4 PARKING STALLS

-BEN DAVIS PARK
4 PARKING STALLS

-ROME BEAUTY PARK (CLUB HOUSE)
12 PARKING STALLS

-GRAVENSTEIN PARK
15 PARKING STALLS

TOTAL NEW PARKING STALLS = 35

N

S

60 0 30 60 120

Scale (24" x 36") 1 in. = 60 FT.

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PROFESSIONAL ENGINEER No. 8018985 2280 JACOB EUGENE WEBER STATE OF UTAH

PROJECT NO. W-18-15

DATE 04/19/23

DRAWN BY: JACOB WEBER, P.E.

CKHD BY:

SHEET NUMBER C-03

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811 or 811.com

ACCESS ROAD GATE NOTES:

1. GATE INGRESS AND EGRESS BOTH REQUIRE KEY, KEYCODE, OR TRANSPONDER FOR ENTRY. FUJI AND APPLEGATE RESIDENTS AND GUEST, AND EMERGENCY VEHICLES ACCESS ONLY.
2. INSTALL FIRE APPARATUS ACCESS GATE ACCORDING TO INTERNATIONAL FIRE CODE IFC, (D103.5 FIRE APPARATUS ACCESS ROAD GATES.

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DRAWING TITLE

OVERALL SITE PLAN

CLEINT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS
PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

DENSITY CALCULATIONS:

TOTAL PROJECT AREA = 222,621 SQFT.
5.11 ACRES

DENSITY UNITS/ACRE = 42 UNITS
5.11 ACRES

UNITS/ACRE = 8.2 OR 8 ACRES/UNIT

N

S

40 0 20 40 80

Scale (24'' x 36'') 1 in. = 40 FT.

REVISIONS:

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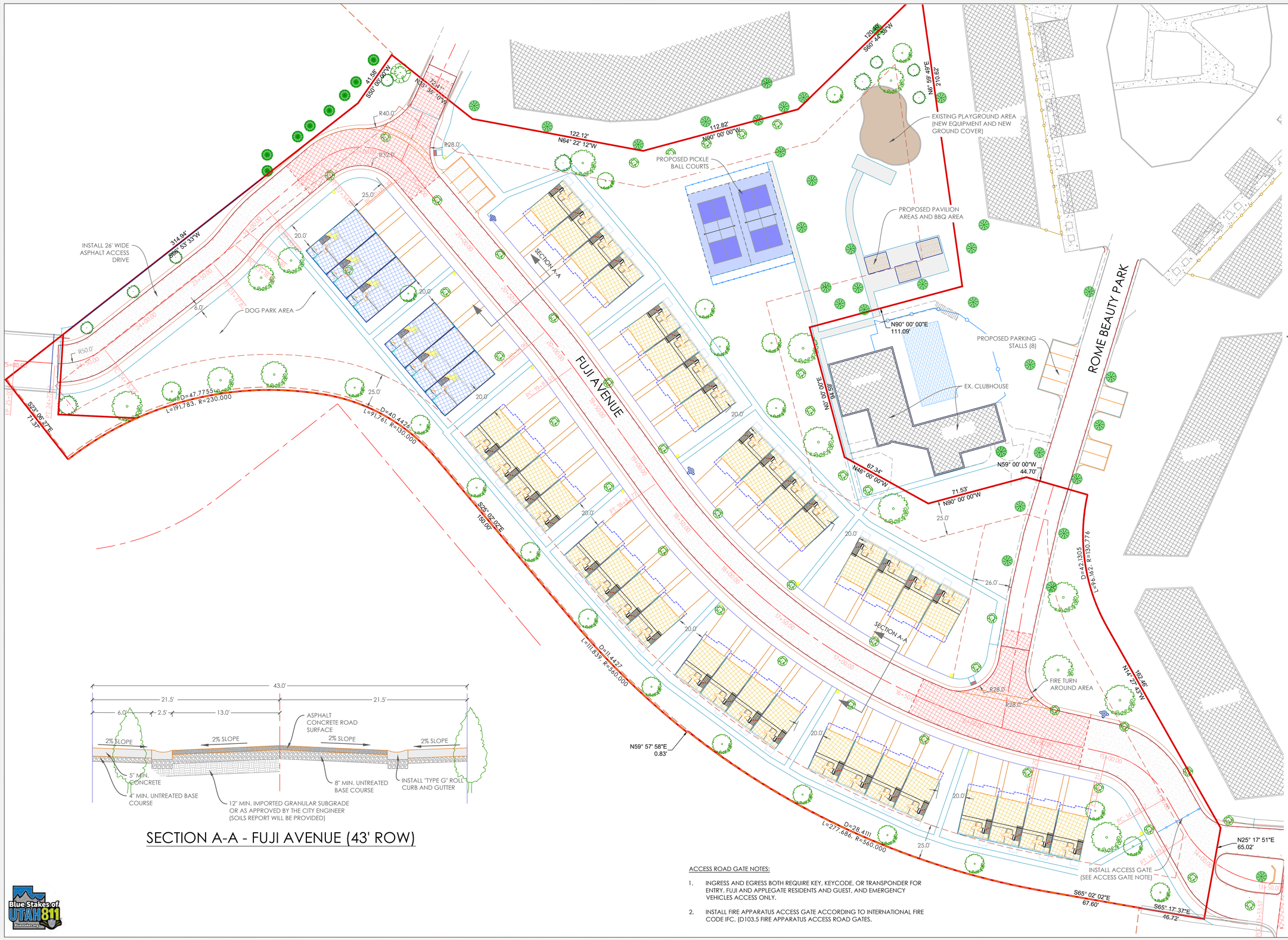
PROJECT NO. W-18-15

DATE 04/19/23

DRAWN BY: JACOB WEBER, P.E.

CKHD BY:

SHEET NUMBER C-04



SECTION A-A - FUJI AVENUE (43' ROW)

ACCESS ROAD GATE NOTES:

1. INGRESS AND EGRESS BOTH REQUIRE KEY, KEYCODE, OR TRANSPONDER FOR ENTRY. FUJI AND APPLEGATE RESIDENTS AND GUEST, AND EMERGENCY VEHICLES ACCESS ONLY.
2. INSTALL FIRE APPARATUS ACCESS GATE ACCORDING TO INTERNATIONAL FIRE CODE IFC. (D103.5 FIRE APPARATUS ACCESS ROAD GATES.

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DRAWING TITLE

SITE PLAN

CLEINT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS
PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

LEGEND

- PROPERTY BOUNDARY
- PROPOSED TOWNHOMES (22' X 46') 9 UNITS
- PROPOSED TOWNHOMES (22' X 32.5') 35 UNITS
- PROPOSED ASPHALT ROADWAY
- PROPOSED CONCRETE
- PROPOSED GRASS
- PROPOSED STREET LIGHTS
- EXISTING BUILDINGS

* TOTAL TOWNHOME UNITS = 42

N

S

30 0 15 30 60

Scale (24" x 36") 1 in. = 30 FT.

REVISIONS:

REV #	DESCRIPTION	DATE

WEBER ENGINEERING COLLECTIVE

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PROFESSIONAL ENGINEER No. 9018985 2202 JACOB EUGENE WEBER STATE OF UTAH

PROJECT NO. W-18-15

DATE 04/19/23

DRAWN BY: JACOB WEBER, P.E.

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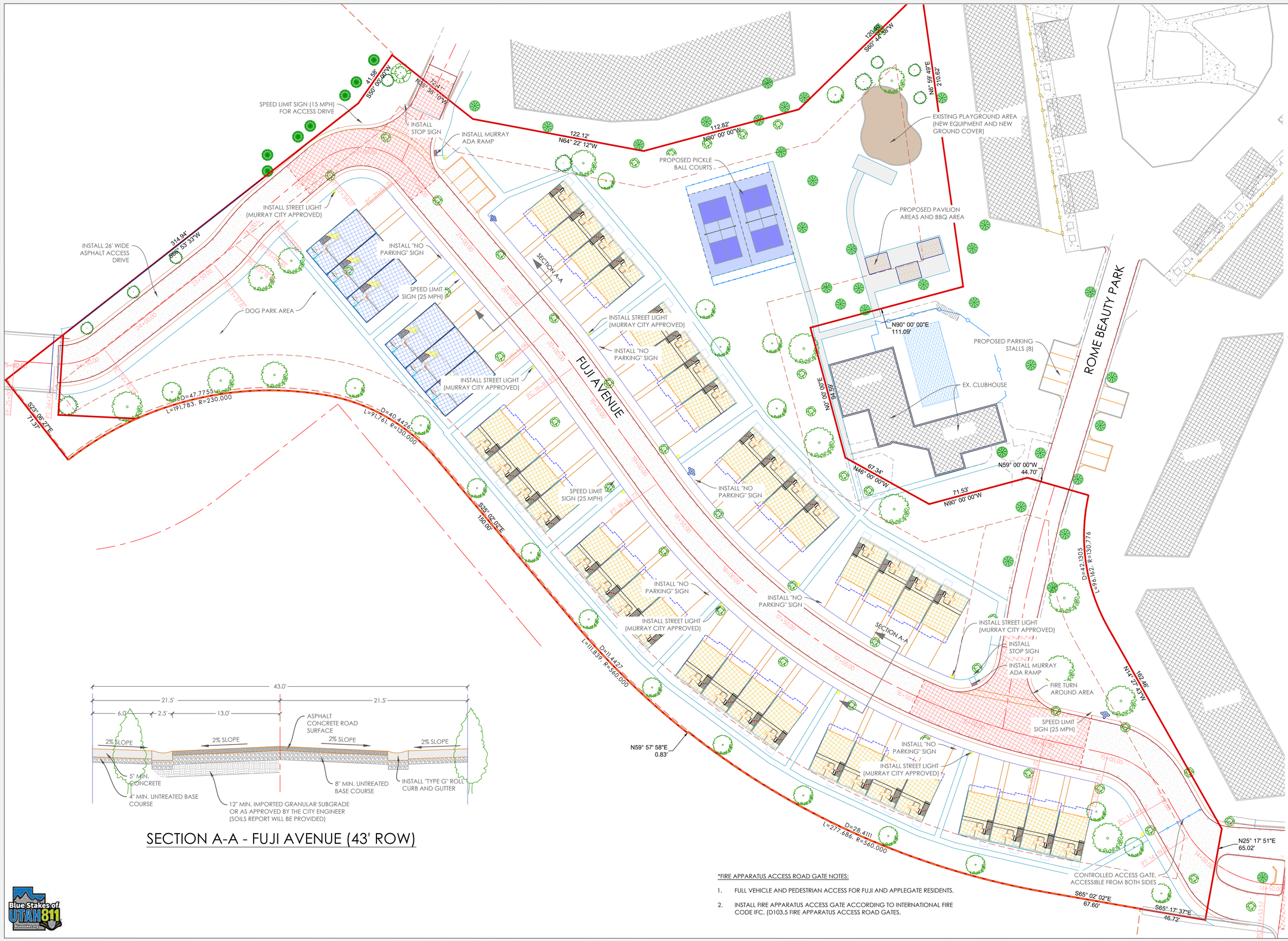
SHEET NUMBER C-05



SECTION A-A - FUJI AVENUE (43' ROW)

*FIRE APPARATUS ACCESS ROAD GATE NOTES:

1. FULL VEHICLE AND PEDESTRIAN ACCESS FOR FUJI AND APPLEGATE RESIDENTS.
2. INSTALL FIRE APPARATUS ACCESS GATE ACCORDING TO INTERNATIONAL FIRE CODE IFC. (D103.5 FIRE APPARATUS ACCESS ROAD GATES.

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DRAWING TITLE

MURRAY CITY SAFETY PLAN

CLEINT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS
PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

LEGEND

- PROPERTY BOUNDARY
- PROPOSED TOWNHOMES (22' X 46') 9 UNITS
- PROPOSED TOWNHOMES (22' X 32.5') 35 UNITS
- PROPOSED ASPHALT ROADWAY
- PROPOSED CONCRETE
- PROPOSED GRASS
- PROPOSED STREET LIGHTS
- EXISTING BUILDINGS

* TOTAL TOWNHOME UNITS = 42

N
S

30 0 15 30 60

Scale (24" x 36") 1 in. = 30 FT.

REVISIONS:

REV #	DESCRIPTION	DATE

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PROFESSIONAL ENGINEER — No. 10189865 (2202) — JACOB EUGENE WEBER — STATE OF UTAH

PROJECT NO. W-18-15
DATE 04/19/23
DRAWN BY: JACOB WEBER, P.E.
CKD BY:
SHEET NUMBER C-06

GRAVENSTEIN PARK

GLENDON ST.

ROME BEAUTY PARK

FUJI AVENUE

MURRAY BOULEVARD

DRAINGE BASIN AREA

DETENTION AREA
VOL PROVIDED = +/- 3,000 CUFT.
LOW ELEV. = 4280.26
HIGH WATER ELEV. = 4283.00
1' FREE BOARD PROVIDED

INSTALL OVERFLOW CATCH BASIN ON EX. 27" RCP STORM DRAIN (RIM ELEV = 4283.50)

INSTALL OVERFLOW CB
RIM:4283.5
SUMP:4278.49
INV IN:4280.49 12"
INV OUT:4280.49 27"

INSTALL CB W 4.8" DIA. ORIFICE PLATE
RIM:4282.01
SUMP:4280.34
INV OUT:4280.34 12"

28.78' of 15" RCP @ -1.00%

INSTALL CURB INLET CB#7
STA:23+46.36 OFF:13.31R
RIM:4291.23
INV IN:4289.29 15"

137.23' of 24" RCP @ 4.58%

225.68' of 27" RCP @ 1.64%

18.76' of 24" RCP @ 1.00%

13.65' of 12" RCP @ -1.09%

INSTALL COMBO BOX CB #1A
STA:23+44.96 OFF:-15.44L
RIM:4290.98
SUMP:4286.63
INV IN:4286.63 24"
INV OUT:4287.40 24"
INV OUT:4289.00 15"

INSTALL FLARED END SECTION
RIM:4289.96
INV IN:4287.21 24"

INSTALL CURB INLET CB #3
STA:21+99.94 OFF:12.99R
RIM:4296.49
SUMP:4291.95
INV OUT:4291.95 18"

31.34' of 18" RCP @ 1.20%

INSTALL COMBO BOX CB #1
STA:21+85.68 OFF:-15.51L
RIM:4297.05
SUMP:4291.54
INV IN:4291.54 24"
INV IN:4291.57 18"
INV OUT:4291.54 24"

170.33' of 24" RCP @ 3.29%

29.39' of 18" RCP @ 1.11%

INSTALL CURB INLET CB #6
STA:20+01.01 OFF:13.32R
RIM:4301.52
SUMP:4297.97
INV OUT:4297.97 18"

INSTALL COMBO BOX CB #4
STA:20+06.81 OFF:-15.49L
RIM:4301.50
SUMP:4297.14
INV IN:4297.14 24"
INV IN:4297.64 18"
INV OUT:4297.14 24"

INSTALL TRENCH DRAIN

209.35' of 24" RCP @ 0.89%

INSTALL TRENCH DRAIN

INSTALL CURN INLET CB #7
STA:17+98.79 OFF:-13.13L
RIM:4303.26
SUMP:4299.00
INV IN:4299.50 18"
INV OUT:4299.00 24"

INSTALL TRENCH DRAIN

109.49' of 18" RCP @ 1.39%

INSTALL CURB INLET CB #9
STA:16+92.35 OFF:-15.22L
RIM:4304.17
SUMP:4300.74
INV IN:4301.47 15"
INV IN:4300.74 18"
INV OUT:4300.74 18"

INSTALL CURB INLET CB #10
STA:16+89.86 OFF:13.13R
RIM:4304.19
SUMP:4301.72
INV OUT:4301.72 15"

28.45' of 15" RCP @ 0.87%

INSTALL 4' CONCRETE WATERWAY

INSTALL TRENCH DRAIN

192.25' of 18" RCP @ 0.81%

INSTALL TRENCH DRAIN

INSTALL CURB INLET CB #12
STA:15+03.27 OFF:-10.88L
RIM:4305.83
SUMP:4302.30
INV IN:4302.30 18"
INV OUT:4302.30 18"

35.20' of 15" RCP @ 0.83%

INSTALL CURB INLET CB #14
STA:14+21.39 OFF:19.13R
RIM:4306.24
SUMP:4302.99
INV OUT:4302.99 18"

GRADE RETENTION AREA FOR 80th PERCENTILE STORM
(STORAGE VOLUME = 5,000 CUFT.)

LOW IMPACT RAINFALL DRAINAGE SWALE, WITHIN DRAINAGE P.U.E.
VOL. PROVIDED = +/- 6,000 CUFT.

Hydrology Report

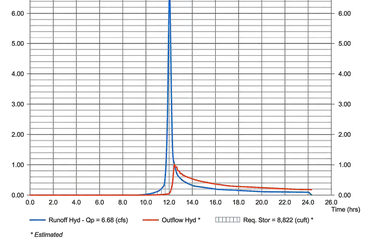
Hydraflow Express Extension for Autodesk® Civil 3D® by Autodesk, Inc. — Wednesday, Apr 19 2023

FUJI AVE - HYDRO CALCS

Hydrograph type	= SCS	Peak discharge (cfs)	= 6.680
Storm frequency (yrs)	= 10	Time interval (min)	= 1
Drainage area (ac)	= 5.110	Curve number (CN)	= 87
Basin Slope (%)	= n/a	Hydraulic length (ft)	= n/a
Tc method	= User	Time of conc. (min)	= 15
Total precip. (in)	= 2.16	Storm Distribution	= Type II
Storm duration (hrs)	= 24	Shape factor	= 484

Hydrograph Volume = 18,028 (cuft); 0.414 (acft)

Runoff Hydrograph



*Estimated

Hydrology Report

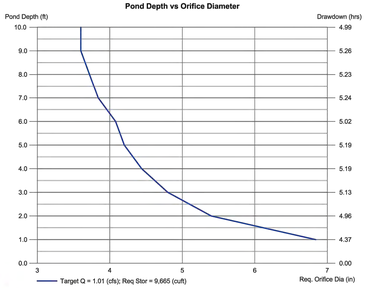
Hydraflow Express Extension for Autodesk® Civil 3D® by Autodesk, Inc. — Wednesday, Apr 19 2023

FUJI AVE - ORIFICE CALCS

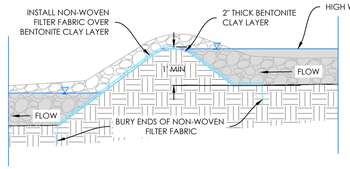
Hydrograph type	= SCS	Peak discharge (cfs)	= 7.114
Storm frequency (yrs)	= 10	Time interval (min)	= 1
Drainage area (ac)	= 5.110	Curve number (CN)	= 87
Basin Slope (%)	= n/a	Hydraulic length (ft)	= n/a
Tc method	= User	Time of conc. (min)	= 15
Total precip. (in)	= 2.16	Storm Distribution	= Type II
Storm duration (hrs)	= 24	Shape factor	= 484

Hydrograph Volume = 19,149 (cuft); 0.440 (acft)

Pond Depth vs Orifice Diameter



SWALE DETAIL



DRAINAGE SWALE NOTE:

FOR FINAL DESIGN, THE DRAINAGE SWALE WILL BE LANDSCAPED TO HAVE A SERIES OF BERMS THAT WILL ALLOW FOR STORM WATER STORAGE AND INFILTRATION. THIS WILL MINIMIZE THE STORM WATER IMPACT ON DOWNHILL STORM WATER INFRASTRUCTURE.

GRADING AND DRAINAGE NOTES:

1. STORM WATER RUNOFF SHALL BE MAINTAINED ON SITE AND SHALL NOT ENTER ONTO NEIGHBORING PROPERTIES.
2. THE SITE IS LOCATED IN **FEMA** FLOOD HAZARD ZONE X, WHICH IS DESIGNATED AS AREAS OF MINIMAL FLOOD RISKS.
3. RAINFALL DATA USED IN CALCULATIONS WAS PROVIDED FROM NOAA ATLAS 14 POINT PRECIPITATION FREQUENCY ESTIMATES.
4. GROUND WATER IS ENCOUNTERED AT A DEPTH OF 18 FEET BELOW EXISTING GROUND CONDITIONS. (GEOTECHNICAL ENGINEERING STUDY, PROVIDED BY CMT ENGINEERING, MAY 29, 2019)
5. EXCAVATIONS AND SLOPE GRADING MUST COMPLY WITH BUILDING CODES AND REQUIREMENTS OF THE SITE GEOTECHNICAL REPORT.

CATCH BASIN AND MANHOLE NOTES:

1. ALL PRECAST BOX AND MANHOLE LID ELEVATIONS MUST BE A MINIMUM OF 9" BELOW RIM ELEVATION.

80th PERCENTILE STORM NOTES:

V=RvdA

V = 80th percentie volume retained, cf

Rv = Volumetric runoff coefficient.

d = 80th percentile precipitation depth, ft (0.43 in)

A = Project drainage area. (222,600 sqft.)

An additional +/- 5,000 cuft. of Storm Drain Retention is needed.

LEGEND

- EXISTING MINOR CONTOURS (2')
- PROPOSED MAJOR CONTOUR (10')
- PROPOSED MINOR CONTOUR (2')
- EDGE OF PROPOSED ASPHALT
- PROPOSED DRAINAGE SWALE
- PROPOSED SLOPE
- PROPOSED FINISHED GRADE
- EXISTING GRADE
- PROPOSED RETENTION AREA

N

S

40 0 20 40 80

Scale (24" x 36") 1 in. = 40 FT.

DRAWING TITLE

DRAINAGE PLAN

CLEINT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS
PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

REVISIONS:

REV #	DESCRIPTION	DATE

WEBER ENGINEERING COLLECTIVE
CIVIL• PLANNING• SURVEYING
SALT LAKE CITY, UTAH
PHONE (385) 229-9663

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STAMP

PROFESSIONAL ENGINEER No. 8010805 (2209) JACOB EUGENE WEBER STATE OF UTAH

PROJECT NO. W-18-15

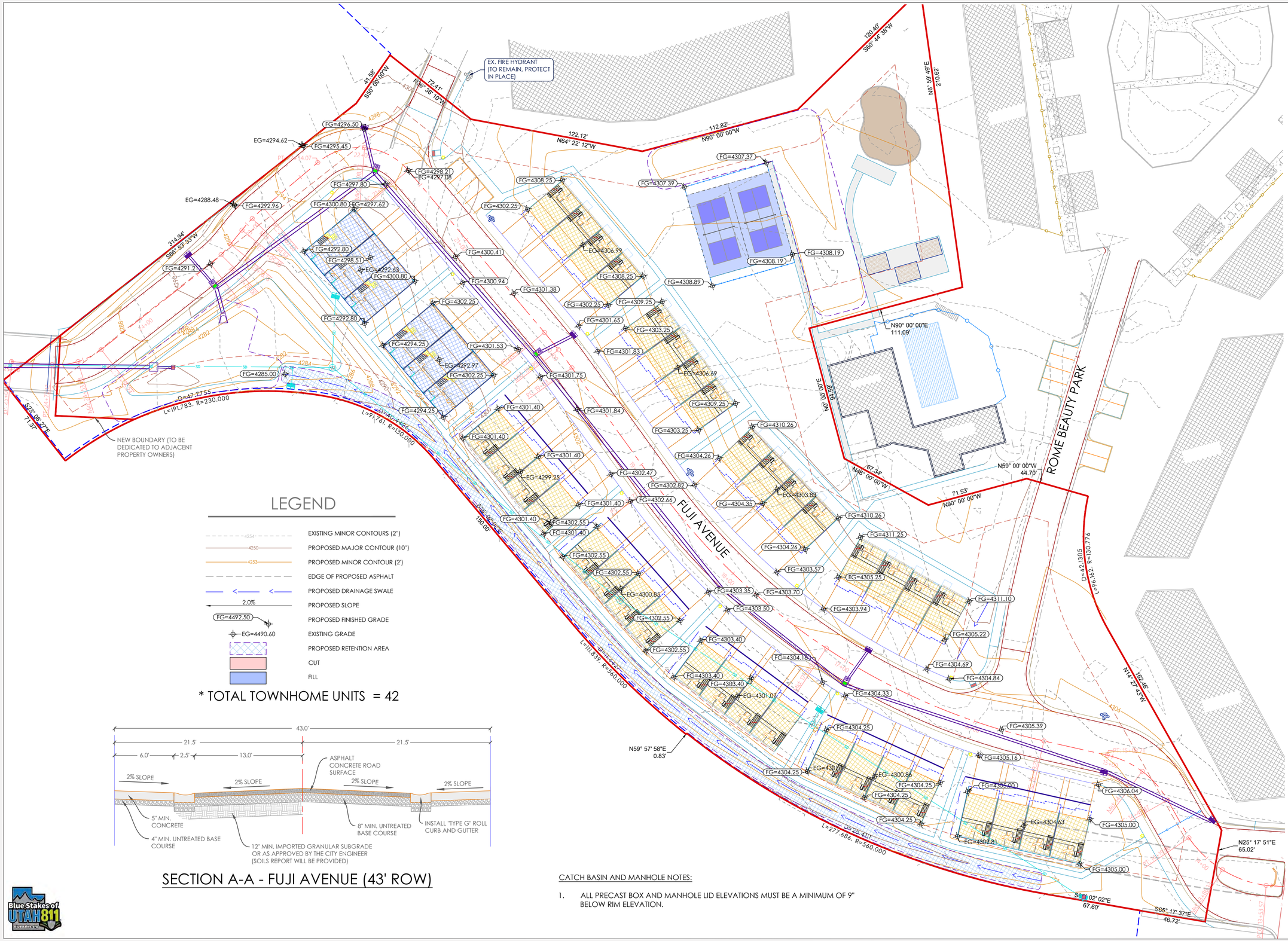
DATE 04/19/23

DRAWN BY: JACOB WEBER, P.E.

CKD BY:

SHEET NUMBER C-07

Blue Stakes of UTAH 811
Blue Stakes.org



LEGEND

- EXISTING MINOR CONTOURS (2')
- PROPOSED MAJOR CONTOUR (10')
- PROPOSED MINOR CONTOUR (2')
- EDGE OF PROPOSED ASPHALT
- PROPOSED DRAINAGE SWALE
- 2.0% — PROPOSED SLOPE
- FG=4492.50 — PROPOSED FINISHED GRADE
- EG=4490.60 — EXISTING GRADE
- PROPOSED RETENTION AREA
- CUT
- FILL

* TOTAL TOWNHOME UNITS = 42

SECTION A-A - FUJI AVENUE (43' ROW)

CATCH BASIN AND MANHOLE NOTES:

1. ALL PRECAST BOX AND MANHOLE LID ELEVATIONS MUST BE A MINIMUM OF 9" BELOW RIM ELEVATION.

Blue Stakes of UTAH 811 — Statewide 811

DRAWING TITLE

GRADING PLAN

CLEINT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS
PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

N

S

30 0 15 30 60

Scale (24'' x 36'') 1 in. = 30 FT.

REVISIONS:

REV #	DESCRIPTION	DATE

WEBER ENGINEERING COLLECTIVE
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SALT LAKE CITY, UTAH
PHONE (385) 229-9663

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STAMP

PROFESSIONAL ENGINEER — No. 8018085 — JACOB EUGENE WEBER — 04/19/23 — STATE OF UTAH

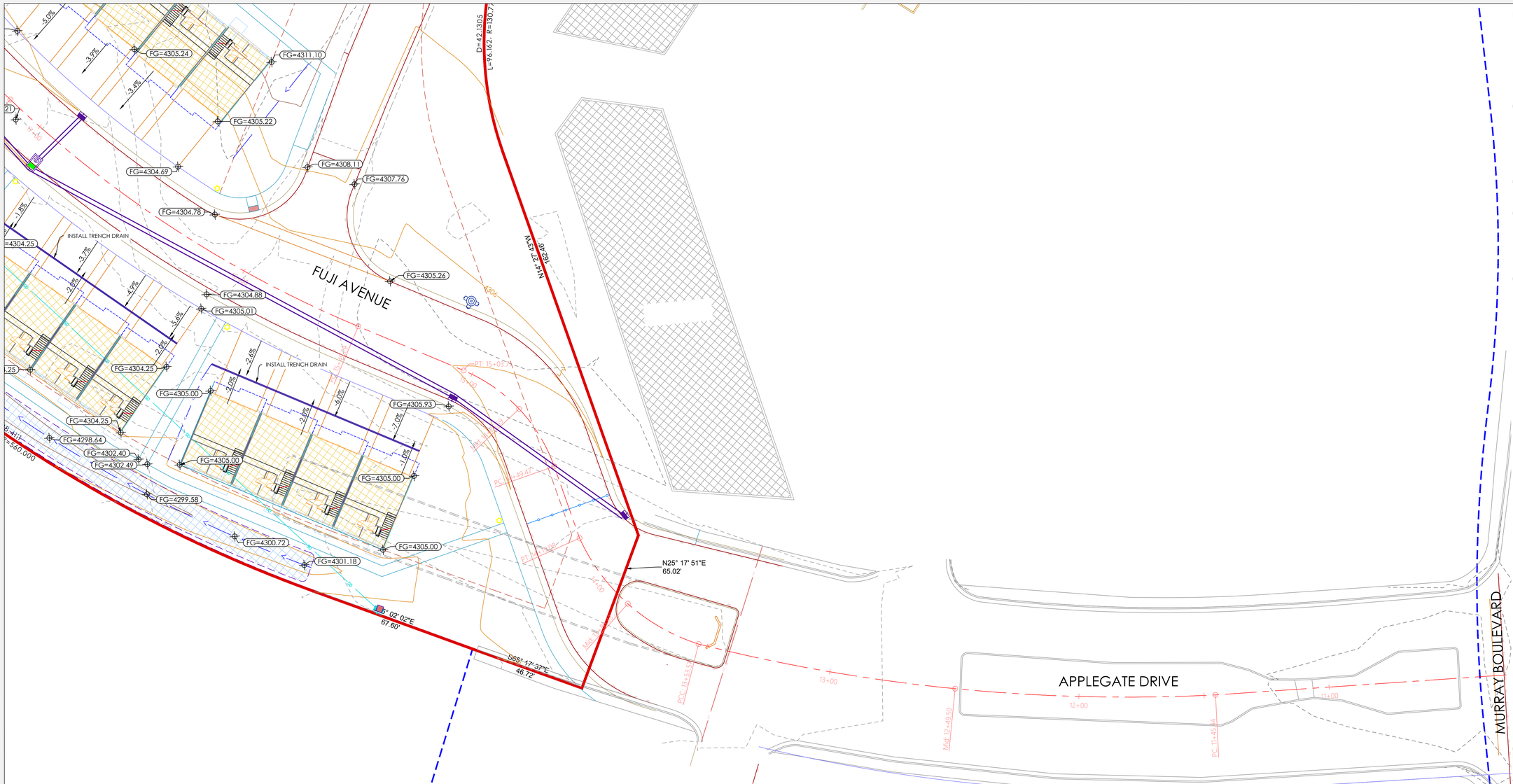
PROJECT NO. W-18-15

DATE 04/19/23

DRAWN BY: JACOB WEBER, P.E.

CKD BY:

SHEET NUMBER C-08



LEGEND

- EXISTING MINOR CONTOURS (2")
- PROPOSED MAJOR CONTOUR (10")
- PROPOSED MINOR CONTOUR (2')
- EDGE OF PROPOSED ASPHALT
- PROPOSED DRAINAGE SWALE
- 2.0% PROPOSED SLOPE
- FG=4492.50 PROPOSED FINISHED GRADE
- EG=4490.60 EXISTING GRADE
- PROPOSED RETENTION AREA
- CUT
- FILL

Blue Stakes of UTAH 811 — Dial 811 or Click811.com

DRAWING TITLE

GRADING PLAN-FUJI AVENUE

CLEINT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS
PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

REVISIONS:

REV #	DESCRIPTION	DATE

WEBER ENGINEERING COLLECTIVE
CIVIL• PLANNING• SURVEYING
SALT LAKE CITY, UTAH
PHONE (385) 229-9663

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STAMP

PROFESSIONAL ENGINEER — No. 6018985 (SEAL) — JACOB EUGENE WEBER — STATE OF UTAH

PROJECT NO. W-18-15
DATE 04/19/23
DRAWN BY: JACOB WEBER, P.E.
CKHD BY:
SHEET NUMBER C-09

EX. FIRE HYDRANT (TO REMAIN, PROTECT IN PLACE)

FUJI AVENUE

LEGEND

- EXISTING MINOR CONTOURS (2')
- PROPOSED MAJOR CONTOUR (10')
- PROPOSED MINOR CONTOUR (2')
- EDGE OF PROPOSED ASPHALT
- PROPOSED DRAINAGE SWALE
- PROPOSED SLOPE
- PROPOSED FINISHED GRADE
- EXISTING GRADE
- PROPOSED RETENTION AREA
- CUT
- FILL

Blue Stakes of UTAH 811

DRAWING TITLE

GRADING PLAN-FUJI AVENUE

CLEINT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS

PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

Scale (24" x 36") 1 in. = 20 FT.

REVISIONS:

REV #	DESCRIPTION	DATE

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SALT LAKE CITY, UTAH
PHONE (385) 229-9663

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STAMP

PROFESSIONAL ENGINEER No. 8018985 2209 JACOB EUGENE WEBER 04/19/23 STATE OF UTAH

PROJECT NO. W-18-15

DATE 04/19/23

DRAWN BY: JACOB WEBER, P.E.

CKHD BY:

SHEET NUMBER C-10

CONNECT NEW 8" WATERLINE TO EXISTING WATERLINE

INSTALL 8" GATE VALVE

EX. FIRE HYDRANT (TO REMAIN, PROTECT IN PLACE)

INSTALL 5' SS MH #1A
STA:22+08.55 OFF:7.76R
RIM:4296.26
INV IN:4282.83 8" PVC
INV OUT:4282.83 8" PVC

INSTALL 8" WATER METER FOR EX. AG SUBDIVISION

INSTALL 8" WATER METER FOR NEW FUJI SUB.

INSTALL 8" GATE VALVE

SS 48.59' of 8" SDR35 PVC @ 5.42%

230.7 LF 8 IN X 8 IN D.I.

SS 201.01' of 8" SDR35 PVC @ 5.10%

INSTALL 5' SS MH ON EX. SS LINE
STA:21+60.24 OFF:-7.12L
RIM:4298.20
INV IN:4285.52 8" PVC
INV OUT:4285.46 8" PVC

INSTALL NEW FIRE HYDRANT (MUELLER)

SS 143.32' of 8" SDR35 PVC @ 2.51%

159.0 LF 8 IN X 8 IN D.I.

INSTALL 5' SS MH #1 (ON EX. SS LINE)
RIM:4288.15
SUMP:4269.57

8 IN X 8 IN ELBOW

INSTALL SS MH #3A
STA:20+16.91 OFF:-7.20L
RIM:4301.53
INV IN:4289.12 8" PVC
INV OUT:4289.12 8" PVC

FUJI AVENUE

INSTALL 4" SDR 35 PVC SS LATERAL @ 2% MIN. SLOPE W/ CLEANOUT (TYP.)

EXISTING WATERLINE TO BE REMOVED OR ABANDONED

SS 218.56' of 8" SDR35 PVC @ 1.00%

230.7 LF 8 IN X 8 IN D.I.

INSTALL 4" SDR 35 PVC SS LATERAL @ 2% MIN. SLOPE W/ CLEANOUT (TYP.)

INSTALL NEW FIRE HYDRANT (MUELLER)

INSTALL 1" WATER LATERAL W/ WATER METER (TYP.)

INSTALL 1" WATER LATERAL W/ WATER METER (TYP.)

INSTALL 1" WATER LATERAL W/ WATER METER (TYP.)

INSTALL GAS LINE (COORD. W/ DOMINION ENERGY)

INSTALL 5' SS MH #3
STA:17+98.63 OFF:-6.10L
RIM:4303.41
INV IN:4291.30 8" PVC
INV OUT:4291.30 8" PVC

INSTALL 4" SDR 35 PVC SS LATERAL @ 2% MIN. SLOPE W/ CLEANOUT (TYP.)

INSTALL 1" WATER LATERAL W/ WATER METER (TYP.)

SS 115.91' of 8" SDR35 PVC @ 1.00%

111.8 LF 8 IN X 8 IN D.I.

POWER LINE (COORD. W/ MURRAY CITY CORP.)

INSTALL 4' SS MH #4
STA:16+83.95 OFF:-6.25L
RIM:4304.38
INV IN:4292.44 8" PVC
INV OUT:4292.46 8" PVC

169.0 LF 8 IN X 8 IN D.I.

SS 163.38' of 8" SDR35 PVC @ 1.00%

INSTALL NEW FIRE HYDRANT (MUELLER)

INSTALL 4' SS MH #5
STA:15+21.12 OFF:-1.04L
RIM:4305.87
INV OUT:4294.07 8" PVC

INSTALL 4" SDR 35 PVC SS LATERAL @ 2% MIN. SLOPE W/ CLEANOUT (TYP.)

INSTALL 1" WATER LATERAL W/ WATER METER (TYP.)

LEGEND

- PROPERTY BOUNDARY
- EXISTING WATER LINE
- EXISTING FIRE HYDRANT
- PROPOSED WATER LINE
- PROPOSED FIRE HYDRANT
- EXISTING SEWER LINE
- EXISTING MANHOLE
- PROPOSED SEWER LINE
- PROPOSED SEWER MANHOLE

N

S

30 0 15 30 60

Scale (24" x 36") 1 in. = 30 FT.

UTILITY NOTES:

1. ALL WATER WORK SHALL COMPLY WITH MURRAY CITY SPECIFICATIONS. SEE DETAIL SHEET D-03.
2. ALL FILL MATERIAL WITHIN THE APPLEGATE ROW IS CONSIDERED STRUCTURAL AND MUST MEET AASHTO A-1 GRADATION CLASSIFICATION.
3. UTILITY TRENCHING BACKFILL MUST ALSO MEET AASHTO A-1 GRADATION CLASSIFICATION.
4. ALL PRECAST BOX AND MANHOLE LID ELEV. MUST BE 9" MINIMUM BELOW RIM ELEV.

Blue Stakes of UTAH 811 — Bluestakes.org

DRAWING TITLE

UTILITY PLAN

CLEINT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS
PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

1. INSTALL WATER AND SANITARY SEWER IMPROVEMENTS ACCORDING TO MURRAY CITY AND/OR APWA 2017 STANDARDS.
2. MAINTAIN A MINIMUM 10' DISTANCE BETWEEN WATER AND SANITARY SEWER LINES.
3. MINIMUM 18" OF CLEARANCE IS REQUIRED WHERE SEWER AND WATER CROSS.
4. MINIMUM 12" OF CLEARANCE IS REQUIRED WHERE CROSSING EXISTING GAS LINE.
5. CONTRACTOR SHALL FIELD VERIFY LOCATIONS AND INVERT ELEVATIONS OF EXISTING MANHOLES AND OTHER UTILITIES BEFORE STAKING OR CONSTRUCTING ANY NEW UTILITY LINES.
6. FOUR FEET OF COVER REQUIRED OVER ALL WATER LINES.
7. CONTRACTOR RESPONSIBLE FOR OBTAINING MURRAY CITY STANDARDS AND/OR APWA 2017 SPECIFICATIONS AND CONSTRUCTION STANDARDS.
8. CONTRACTOR IS RESPONSIBLE TO OBTAIN AND FOLLOW THE SOILS REPORT AND ITS RECOMMENDATIONS (GEOTECHNICAL ENGINEERING STUDY, PROVIDED BY CMT ENGINEERING, DATED MAY 29, 2019).
9. CONTRACTOR RESPONSIBILITY TO VERIFY CIVIL SITE PLAN AND BUILDING DIMENSIONS MATCH BUILDING PLANS BEFORE STARTING CONSTRUCTION.
10. ALL UTILITY LINES SHALL BE BACKFILLED AS PER MURRAY CITY STANDARDS.
11. ALL STORM DRAIN PIPING TO BE CUT FLUSH WITH INSIDE WALL OF DRAINAGE INSIDE WALL TO BE GROUTED SMOOTH WITH A NON-SHRINK GROUT.
12. CONTRACTOR TO REPLACE ANY AREAS AROUND CONSTRUCTION SITE THAT IS DAMAGED DURING CONSTRUCTION.
13. THERE SHALL BE NO CHANGES TO THESE PLANS WITHOUT THE WRITTEN APPROVAL OF THE ENGINEER OF RECORD AND RE-SUBMITTAL OF THE PROPOSED CHANGES TO MURRAY CITY FOR REVIEW AND APPROVAL.
14. LOCATION (HORIZONTAL AND VERTICAL) OF UNDERGROUND UTILITIES SHALL BE UNCOVERED BY THE CONTRACTOR AT THE BEGINNING OF THE PROJECT TO SEE IF THEY IMPACT THE DESIGN.
15. THE CONTRACTOR IS RESPONSIBLE FOR SAFETY ON THE SITE AT ALL TIMES AND SHALL OBTAIN THE NECESSARY PERMITS TO ACCOMPLISH THE JOB.
16. CALL BLUE STAKES BEFORE YOU DIG

REVISIONS:

REV #	DESCRIPTION	DATE

WEBER ENGINEERING COLLECTIVE

CIVIL• PLANNING• SURVEYING

SALT LAKE CITY, UTAH
PHONE (385) 229-9663

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STAMP

PROFESSIONAL ENGINEER No. 8018965 (2202) JACOB EUGENE WEBER STATE OF UTAH

PROJECT NO. W-18-15

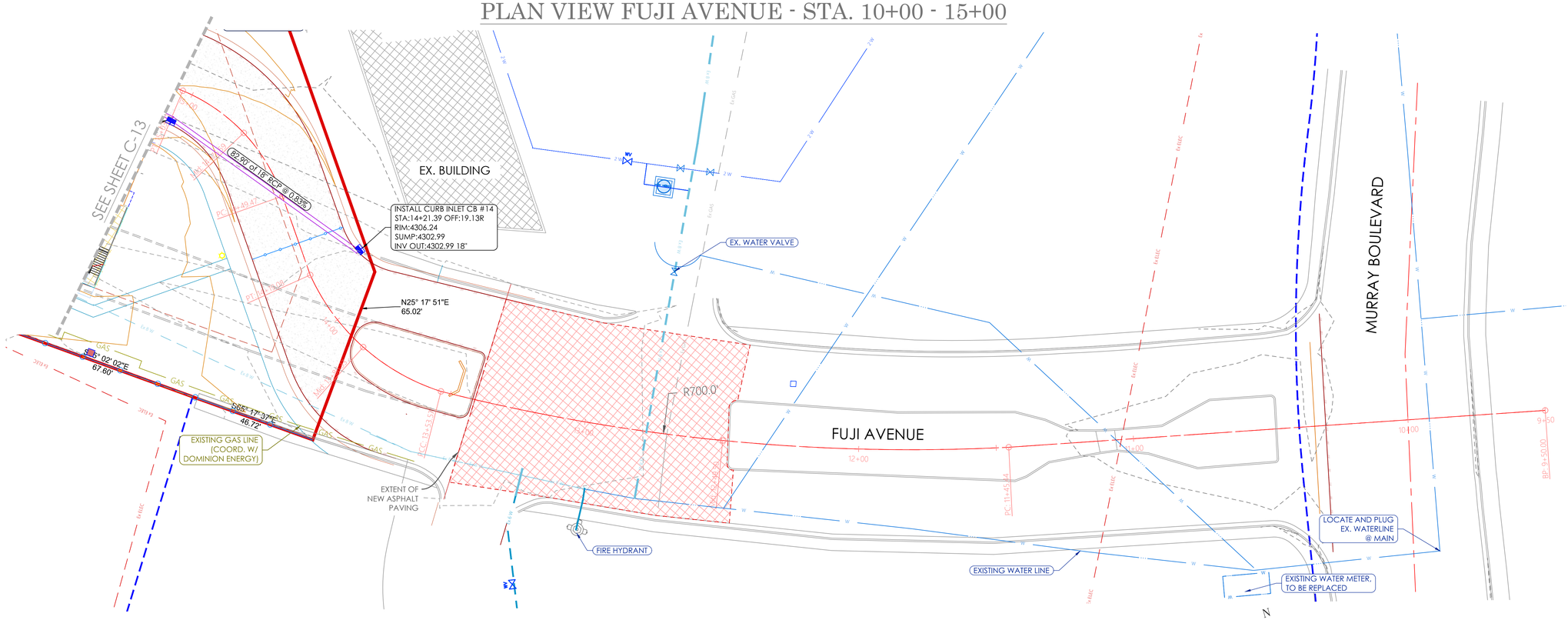
DATE 04/19/23

DRAWN BY: JACOB WEBER, P.E.

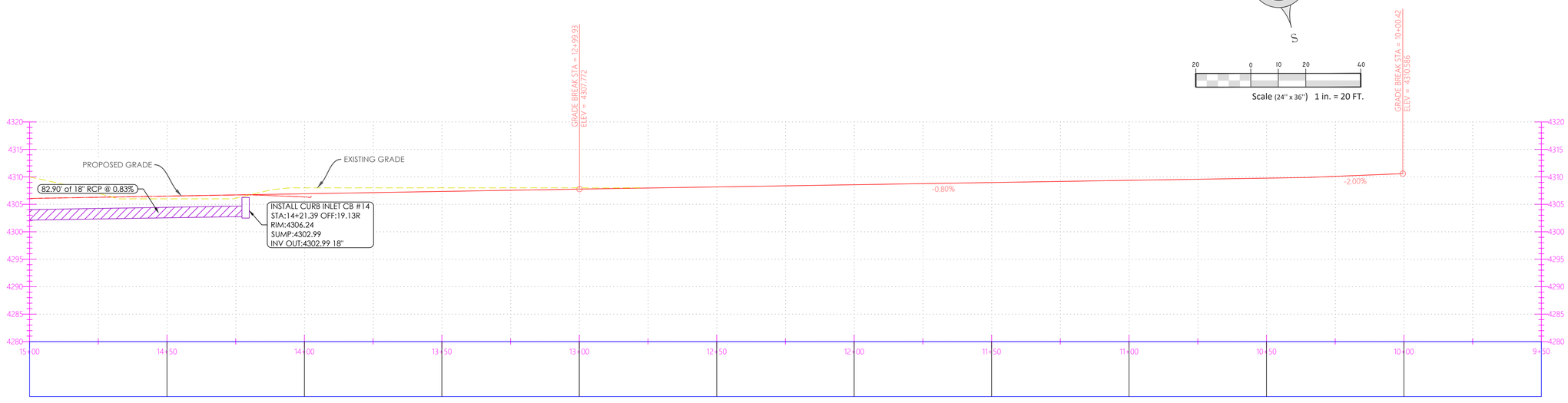
CKHD BY:

SHEET NUMBER C-11

PLAN VIEW FUJI AVENUE - STA. 10+00 - 15+00



PROFILE VIEW FUJI AVENUE - STA. 10+00 - 15+00



Blue Stakes of UTAH 811

DRAWING TITLE

FUJI AVE PP STA 10+00 - 15+00

CLEINT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS

PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

1. INSTALL WATER AND SANITARY SEWER IMPROVEMENTS ACCORDING TO MURRAY CITY AND/OR APWA 2017 STANDARDS.
2. MAINTAIN A MINIMUM 10' DISTANCE BETWEEN WATER AND SANITARY SEWER LINES.
3. MINIMUM 18" OF CLEARANCE IS REQUIRED WHERE SEWER AND WATER CROSS.
4. MINIMUM 12" OF CLEARANCE IS REQUIRED WHERE CROSSING EXISTING GAS LINE.
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6. FOUR FEET OF COVER REQUIRED OVER ALL WATER LINES.
7. CONTRACTOR RESPONSIBLE FOR OBTAINING MURRAY CITY STANDARDS AND/OR APWA 2017 SPECIFICATIONS AND CONSTRUCTION STANDARDS.
8. CONTRACTOR IS RESPONSIBLE TO OBTAIN AND FOLLOW THE SOILS REPORT AND ITS RECOMMENDATIONS (GEOTECHNICAL ENGINEERING STUDY, PROVIDED BY CMT ENGINEERING. DATED MAY 29, 2019).
9. CONTRACTOR RESPONSIBILITY TO VERIFY CIVIL SITE PLAN AND BUILDING DIMENSIONS MATCH BUILDING PLANS BEFORE STARTING CONSTRUCTION.
10. ALL UTILITY LINES SHALL BE BACKFILLED AS PER MURRAY CITY STANDARDS.
11. ALL STORM DRAIN PIPING TO BE CUT FLUSH WITH INSIDE WALL OF DRAINAGE INSIDE WALL TO BE GROUTED SMOOTH WITH A NON-SHRINK GROUT.
12. CONTRACTOR TO REPLACE ANY AREAS AROUND CONSTRUCTION SITE THAT IS DAMAGED DURING CONSTRUCTION.
13. THERE SHALL BE NO CHANGES TO THESE PLANS WITHOUT THE WRITTEN APPROVAL OF THE ENGINEER OF RECORD AND RE-SUBMITTAL OF THE PROPOSED CHANGES TO MURRAY CITY FOR REVIEW AND APPROVAL.
14. LOCATION (HORIZONTAL AND VERTICAL) OF UNDERGROUND UTILITIES SHALL BE UNCOVERED BY THE CONTRACTOR AT THE BEGINNING OF THE PROJECT TO SEE IF THEY IMPACT THE DESIGN.
15. THE CONTRACTOR IS RESPONSIBLE FOR SAFETY ON THE SITE AT ALL TIMES AND SHALL OBTAIN THE NECESSARY PERMITS TO ACCOMPLISH THE JOB.
16. CALL BLUE STAKES BEFORE YOU DIG

REVISIONS:

REV #	DESCRIPTION	DATE

WEBER ENGINEERING COLLECTIVE

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STAMP

PROFESSIONAL ENGINEER
No. 8018865
2209
JACOB EUGENE WEBER
04/20/2023
STATE OF UTAH

PROJECT NO. W-18-15

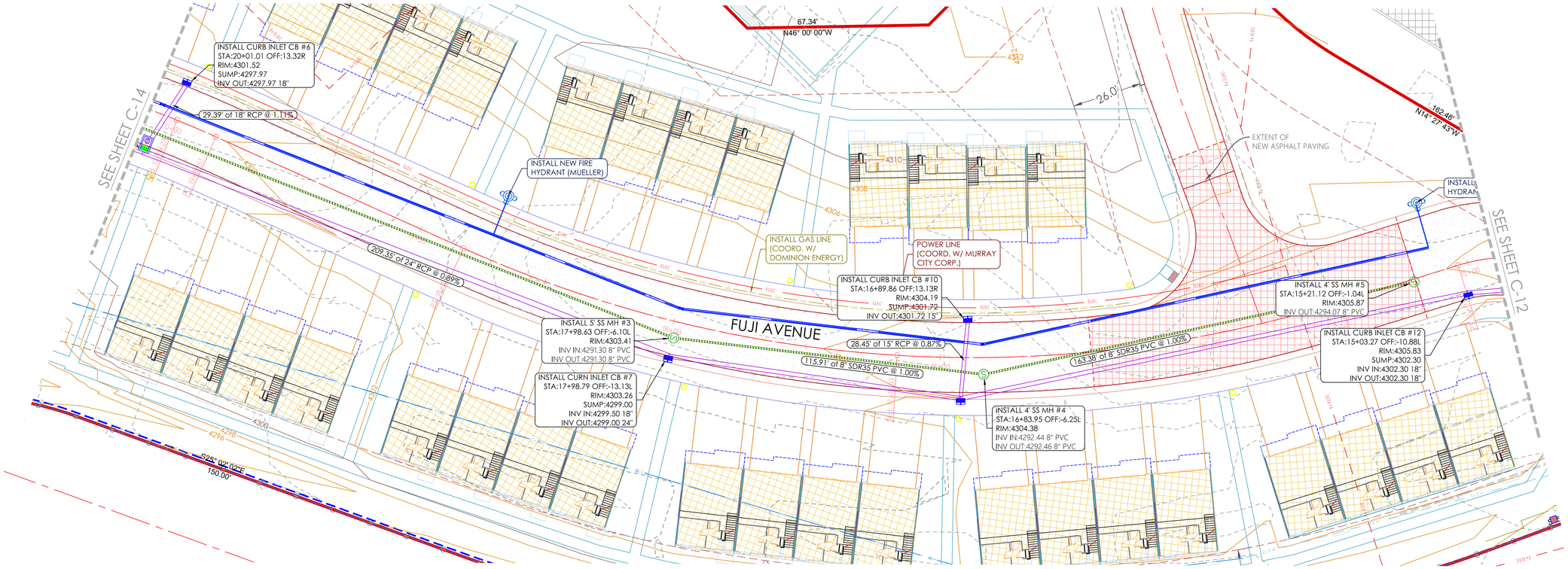
DATE 04/19/23

DRAWN BY: JACOB WEBER, P.E.

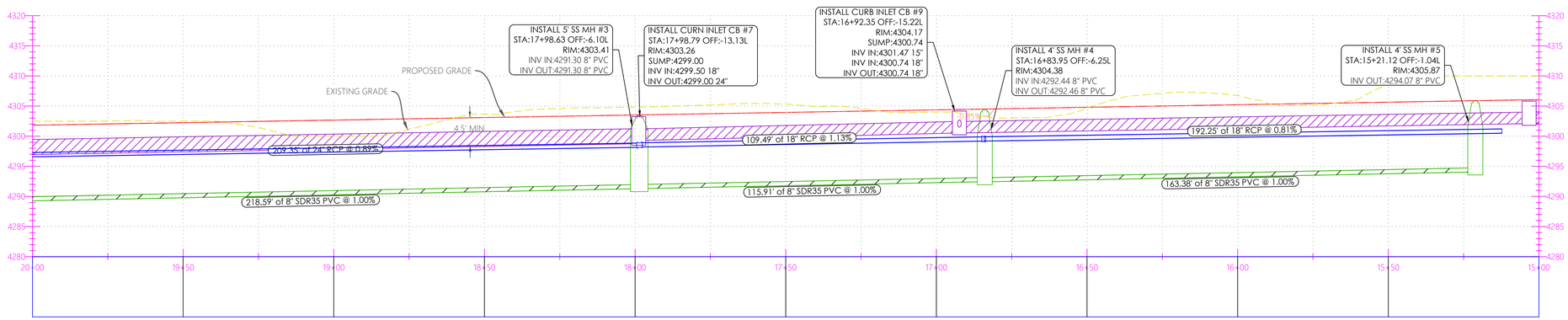
CKHD BY:

SHEET NUMBER C-12

PLAN VIEW FUJI AVENUE - STA. 15+00 - 20+00



PROFILE VIEW FUJI AVENUE - STA. 15+00 - 20+00



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Scale (24" x 36") 1 in. = 20 FT.

Blue Stakes of UTAH 811 — Blue Stakes.org

DRAWING TITLE

FUJI AVE PP STA 15+00-20+00

CLEINT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS

PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

1. INSTALL WATER AND SANITARY SEWER IMPROVEMENTS ACCORDING TO MURRAY CITY AND/OR APWA 2017 STANDARDS.
2. MAINTAIN A MINIMUM 10' DISTANCE BETWEEN WATER AND SANITARY SEWER LINES.
3. MINIMUM 18" OF CLEARANCE IS REQUIRED WHERE SEWER AND WATER CROSS.
4. MINIMUM 12" OF CLEARANCE IS REQUIRED WHERE CROSSING EXISTING GAS LINE.
5. CONTRACTOR SHALL FIELD VERIFY LOCATIONS AND INVERT ELEVATIONS OF EXISTING MANHOLES AND OTHER UTILITIES BEFORE STAKING OR CONSTRUCTING ANY NEW UTILITY LINES.
6. FOUR FEET OF COVER REQUIRED OVER ALL WATER LINES.
7. CONTRACTOR RESPONSIBLE FOR OBTAINING MURRAY CITY STANDARDS AND/OR APWA 2017 SPECIFICATIONS AND CONSTRUCTION STANDARDS.
8. CONTRACTOR IS RESPONSIBLE TO OBTAIN AND FOLLOW THE SOILS REPORT AND ITS RECOMMENDATIONS (GEOTECHNICAL ENGINEERING STUDY, PROVIDED BY CMT ENGINEERING. DATED MAY 29, 2019).
9. CONTRACTOR RESPONSIBILITY TO VERIFY CIVIL SITE PLAN AND BUILDING DIMENSIONS MATCH BUILDING PLANS BEFORE STARTING CONSTRUCTION.
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16. CALL BLUE STAKES BEFORE YOU DIG

REVISIONS:

REV #	DESCRIPTION	DATE

WEBER ENGINEERING COLLECTIVE

CIVIL• PLANNING• SURVEYING

SALT LAKE CITY, UTAH
PHONE (385) 229-9663

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STAMP

PROFESSIONAL ENGINEER No. 8019985 2209 JACOB EUGENE WEBER 04/20/2023 STATE OF UTAH

PROJECT NO. W-18-15

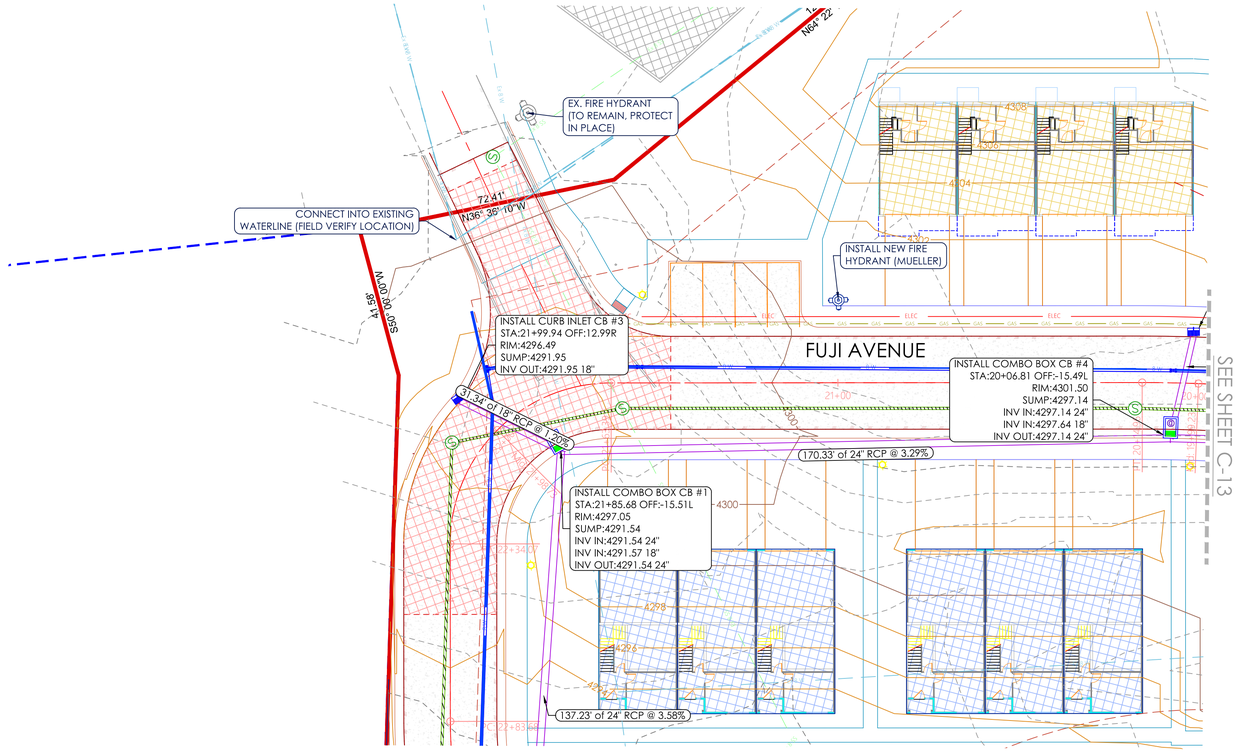
DATE 04/19/23

DRAWN BY: JACOB WEBER, P.E.

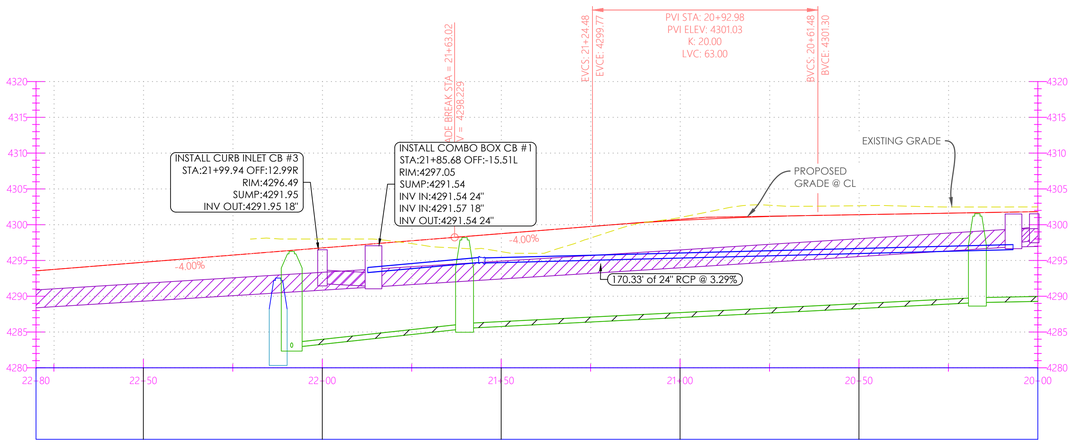
CKD BY:

SHEET NUMBER C-13

PLAN VIEW FUJI AVENUE - STA. 20+00 - END



PROFILE VIEW FUJI AVENUE - STA. 20+00 - 22+80



Scale (24" x 36") 1 in. = 20 FT.

DRAWING TITLE

FUJI AVE PP STA 20+00-22+80

CLEINT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS

PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

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WEBER ENGINEERING COLLECTIVE

CIVIL• PLANNING• SURVEYING

SALT LAKE CITY, UTAH
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STAMP

PROJECT NO. W-18-15

DATE 04/19/23

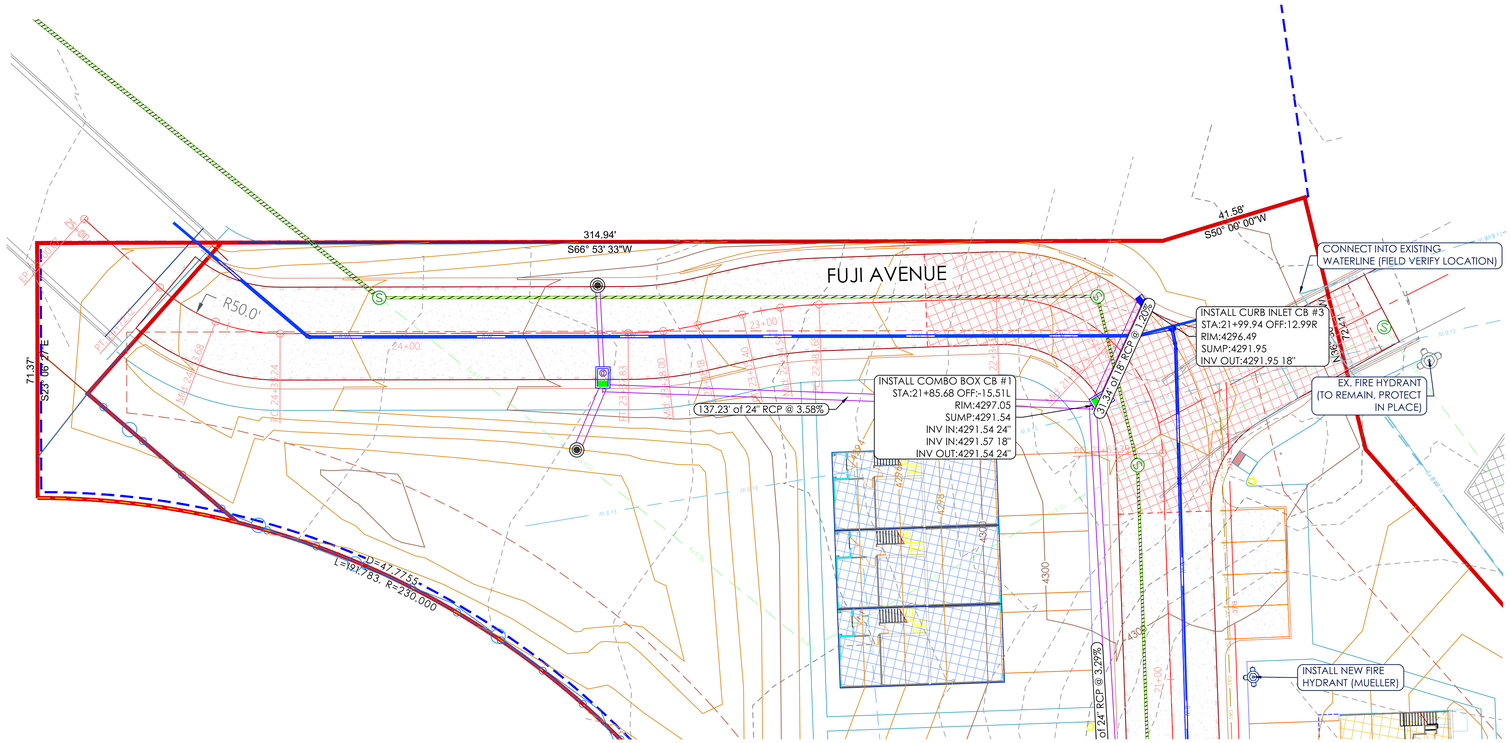
DRAWN BY: JACOB WEBER, P.E.

CKD BY:

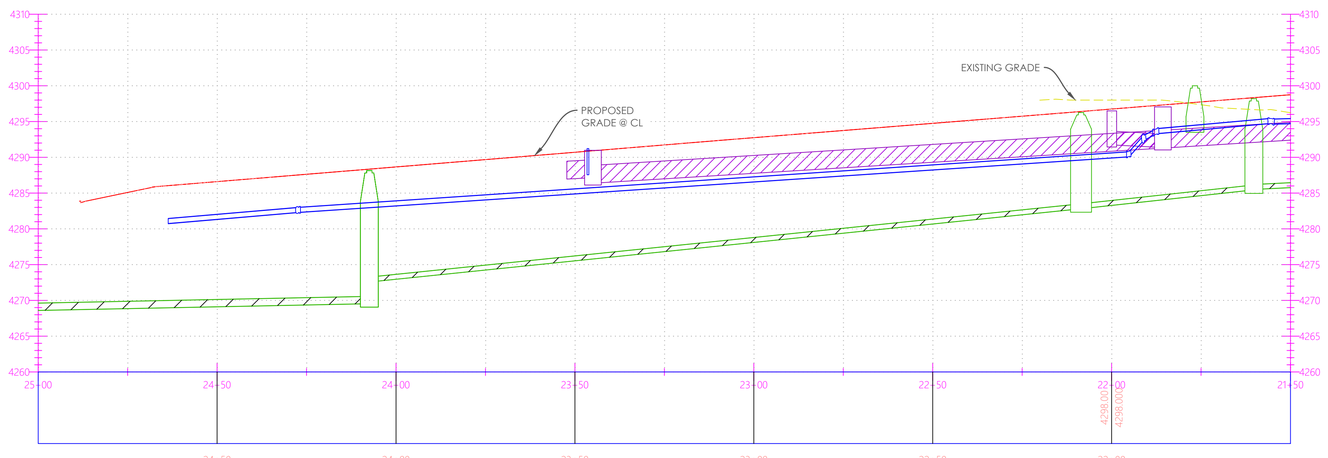
SHEET NUMBER C-14

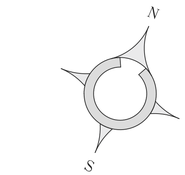
Blue Stakes of UTAH 811

PLAN VIEW FUJI AVENUE - STA. 21+50 - END



PROFILE VIEW FUJI AVENUE - STA. 21+50 - END





20 0 10 20 40

Scale (24" x 36") 1 in. = 20 FT.

DRAWING TITLE

FUJI ACCESS DRIVE PP

CLEINT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS

PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

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REVISIONS:

REV #	DESCRIPTION	DATE

WEBER ENGINEERING COLLECTIVE

CIVIL• PLANNING• SURVEYING

SALT LAKE CITY, UTAH
PHONE (385) 229-9663

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STAMP

PROFESSIONAL ENGINEER No. 8019865 2202 JACOB EUGENE WEBER 04/20/23 STATE OF UTAH

PROJECT NO. W-18-15

DATE 04/19/23

DRAWN BY: JACOB WEBER, P.E.

CKD BY:

SHEET NUMBER C-15

Blue Stakes of UTAH 811 bluestakes.org

GRAVENSTEIN PARK

INSTALL INLET PROTECTION ON STORM DRAIN CATCH BASINS (DURING PHASE 2 CONSTRUCTION)

41.58'
S90° 00' 00"W

N39° 38' 10"W
72.31'

EX. FIRE HYDRANT (TO REMAIN, PROTECT IN PLACE)

SOLID PERIMETER FENCING MUST BE INSTALLED. FILTER FABRIC MUST EXTEND TO GROUND TO PREVENT RUNOFF

314.94'
S66° 53' 33"W

INSTALL SILT FENCING (TO REMAIN THE DURATION OF CONSTRUCTION)

122.12'
N64° 22' 12"W

112.82'
N90° 00' 00"W

120.40'
S60° 44' 38"W

N6° 59' 49"E
210.62'

INSTALL SILT FENCING (TO REMAIN THE DURATION OF CONSTRUCTION)

GLENDON ST.

S63° 08' 27"E
71.37'

D=47.7755
L=191.783, R=230.000

PHASE 2

INSTALL INLET PROTECTION ON STORM DRAIN CATCH BASINS (DURING PHASE 2 CONSTRUCTION)

FUJI AVENUE

N90° 00' 00"E
111.09'

N0° 00' 00"E
94.59'

D=40.4426
L=217.61, R=130.000

S26° 02' 02"E
150.00'

N46° 00' 00"W
67.34'

ROME BEAUTY PARK

N59° 00' 00"W
44.70'

71.53'
N90° 00' 00"W

SOLID PERIMETER FENCING MUST BE INSTALLED. FILTER FABRIC MUST EXTEND TO GROUND TO PREVENT RUNOFF

D=11.4427
L=111.839, R=560.000

INSTALL INLET PROTECTION ON STORM DRAIN CATCH BASINS (DURING PHASE 2 CONSTRUCTION)

D=42.1305
L=96.182, R=130.176

N59° 57' 58"E
0.83'

N14° 27' 43"W
162.46'

PHASE 2

D=28.4111
L=277.686, R=560.000

VEHICLE AND EQUIPMENT WASH DOWN AREA

DUST CONTROL, TO BE APPLIED AS NECESSARY TO KEEP DUST TO MINIMUM. DAILY DUST CONTROL DURING DRY WEATHER

PHASE 2 SOILS STORAGE AREA, NOT TO EXCEED 20' IN HEIGHT (REMOVE BEFORE CONSTRUCTION OF LAST THE LAST BUILDING)

S65° 02' 02"E
67.80'

S65° 17' 37"E
46.72'

N25° 17' 51"E
65.02'

MURRAY BOULEVARD

Blue Stakes of UTAH 811
Always Free

DRAWING TITLE

PH2 EC PLAN

CLEINT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS
PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

LEGEND

- SILT CONSTRUCTION FENCE
- TEMPORARY DETENTION SWALE
- STABILIZED CONSTRUCTION ENTRANCE
- STORAGE AREAS
- PORTA POTTY LOCATIONS
- EQUIPMENT & VEHICLE WASH DOWN
- DUMPSTER LOCATION
- INLET PROTECTION

N

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40 0 20 40 80

Scale (24" x 36") 1 in. = 40 FT.

REVISIONS:

REV #	DESCRIPTION	DATE

WEBER ENGINEERING COLLECTIVE

CIVIL• PLANNING• SURVEYING

SALT LAKE CITY, UTAH
PHONE (385) 229-9663

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STAMP

PROFESSIONAL ENGINEER
No. 8018985
2009
JACOB EUGENE
WEBER
STATE OF UTAH

PROJECT NO. W-18-15

DATE 04/19/23

DRAWN BY: JACOB WEBER, P.E.

CKD BY:

SHEET NUMBER EC-02

GRAVENSTEIN PARK

GLENDON ST.

ROME BEAUTY PARK

MURRAY BOULEVARD

FUJI AVENUE

APPLEGATE DRIVE (EX. TO REMAIN IN USE DURING FUJI AVENUE CONSTRUCTION)

PHASE 1

PHASE 1

SOLID PERIMETER FENCING MUST BE INSTALLED. FILTER FABRIC MUST EXTEND TO GROUND TO PREVENT RUNOFF

MAINTAIN AN ACCESS ROUTE DURING CONSTRUCTION OF PHASE 1

INSTALL INLET PROTECTION ON NEW STORM DRAIN CATCH BASINS DURING PHASE 1 CONSTRUCTION

EX. FIRE HYDRANT (TO REMAIN, PROTECT IN PLACE)

INSTALL SILT FENCING (PERIMETER OF NEW CONSTRUCTION)

INSTALL SILT FENCING (PERIMETER OF NEW CONSTRUCTION)

STABILIZED CONSTRUCTION ENTRANCE FOR PHASE 1 CONSTRUCTION

SOLID PERIMETER FENCING MUST BE INSTALLED. FILTER FABRIC MUST EXTEND TO GROUND TO PREVENT RUNOFF

INSTALL INLET PROTECTION ON EX. STORM DRAIN CATCH BASIN (DURING PHASE 1 CONSTRUCTION)

VEHICLE AND EQUIPMENT WASH DOWN AREA

DUST CONTROL, TO BE APPLIED AS NECESSARY TO KEEP DUST TO MINIMUM. DAILY DUST CONTROL DURING DRY WEATHER

PHASE 1 SOILS STORAGE AREA (NOT TO EXCEED 20' IN HEIGHT) TO BE USED AFTER APPLEGATE DRIVE IS COMPLETED

INSTALL INLET PROTECTION

STABILIZED CONSTRUCTION ENTRANCE FOR PHASE 1 CONSTRUCTION

41.58'
S30° 00' 00"W

72.81'
N39° 49' 10"E

314.94'
S66° 53' 33"W

122.42'
N64° 22' 12"W

112.82'
N90° 00' 00"W

120.40'
S60° 44' 38"W

N6° 59' 49"E
210.62'

S83° 06' 27"E
71.37'

D=47.7755
L=191.783, R=230.000

D=49.4426
L=171.761, R=130.000

S39° 04' 09"E
190.00'

D=11.4407
L=111.835, R=560.000

N59° 57' 58"E
0.83'

D=28.4111
L=277.686, R=560.000

N90° 00' 00"E
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67.34'
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71.53'
N90° 00' 00"W

N59° 00' 00"W
44.70'

D=42.1305
L=96.162, R=130.776

N14° 27' 43"W
162.46'

S0° 02' 02"E
57.60'

S65° 17' 37"E
46.72'

N25° 17' 51"E
65.02'

N

S

40 0 20 40 80

Scale (24" x 36") 1 in. = 40 FT.

LEGEND

- SILT CONSTRUCTION FENCE
- TEMPORARY DETENTION SWALE
- STABILIZED CONSTRUCTION ENTRANCE
- STORAGE AREAS
- PORTA POTTY LOCATIONS
- EQUIPMENT & VEHICLE WASH DOWN
- DUMPSTER LOCATION
- INLET PROTECTION

DRAWING TITLE

PH1 EC PLAN

CLEINT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS
PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

REVISIONS:

REV #	DESCRIPTION	DATE

WEBER ENGINEERING COLLECTIVE

CIVIL• PLANNING• SURVEYING

SALT LAKE CITY, UTAH
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STAMP

PROFESSIONAL ENGINEER No. 8018985 (2002) JACOB EUGENE WEBER 4/19/23 STATE OF UTAH

PROJECT NO. W-18-15

DATE 04/19/23

DRAWN BY: JACOB WEBER, P.E.

CKD BY:

SHEET NUMBER EC-01

Blue Stakes of UTAH 811 811 or 1-800-662-4111

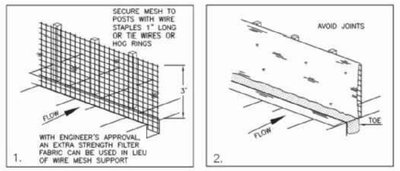
Silt fence

1. GENERAL
A. Description. A temporary sediment barrier consisting of a filter fabric stretched across and attached to supporting posts and entrenched.
B. Application. To intercept sediment from disturbed areas of limited extent.
C. Perimeter Control: Place barrier at down gradient limits of disturbance.
D. Sediment Barrier: Place barrier at toe of slope or soil stockpile.
E. Protection of Existing Waterways: Place barrier at top of stream bank.
F. Inlet Protection.

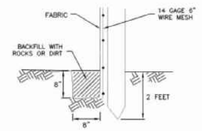
2. PRODUCTS
A. Fabric. Synthetic filter fabric shall be a pervious sheet of propylene, nylon, polyester, or polyethylene yarn. Synthetic filter fabric shall contain ultraviolet ray inhibitors and stabilizers to provide a minimum of 6 months of expected usable construction life at a temperature range of 0 deg F to 120 deg F.
B. Burlap. 10 ounces per square yard of fabric.
C. Posts. Either 2" x 4" diameter wood, or 1.33 pounds per linear foot steel with a minimum length of 5 feet, or steel posts with projections for fastening wire to them.

3. EXECUTION
A. Cut the fabric on site to desired width, unroll, and drape over the barrier. Secure the fabric toe with rocks or dirt and secure the fabric to the mesh with twin, staples or similar devices.
B. When attaching two silt fences together, place the end post of the second fence inside the end post of the first fence. Rotate both posts at least 180 degrees on a clockwise direction to create a tight seal with the filter fabric. Drive both posts into the ground and bury the flap.
C. When used to control sediments from a steep slope, place silt fences away from the toe of the slope for increased holding capacity.
D. Maintenance.
Inspect immediately after each rainfall and at least daily during prolonged rainfall.
Should the fabric on a silt fence or filter barrier decompose or become ineffective before the end of the expected usable life and the barrier still be necessary, replace the fabric promptly.
Remove sediment deposits after each storm event. They must be removed when deposits reach approximately one-half the height of the barrier.
Re-anchor fence as necessary to prevent shortcutting.
Inspect for runoff bypassing ends of barriers or undercutting barriers.

NARRATIVE: THIS PLAN MAY BE USED FOR THE CONSTRUCTION OF A STORM WATER BEST MANAGEMENT PRACTICE (BMP). IT IS NOT INCLUSIVE OF ALL PRACTICES AVAILABLE AND IS ONLY SPECIFIC TO THE CONSTRUCTION OF THIS TYPE. MAINTENANCE OF THIS TYPE OF INSTALLATION IS IMPORTANT AND SHOULD BE CONTINUOUSLY MONITORED BY THE CONTRACTOR AND ENGINEER. DETAILS SHOWN HERE HIGHLIGHT IMPORTANT PARTS OF CONSTRUCTION, AND SHOULD BE MODIFIED AS NEEDED.



INSTALLATION SEQUENCE



TOE DETAIL

Silt fence

Plan **122**

February 2006 7

122 SW-02 SILT FENCE

Inlet protection – fence or straw bale

1. GENERAL
A. Description. A temporary sediment barrier around storm drain inlet.
B. Application. At inlets in paved or unpaved areas where up gradient area is to be disturbed by construction activities.

2. PRODUCT (Not used)

3. EXECUTION
A. Installation and application criteria.
Provide up gradient sediment controls, such as silt fence during construction of inlet.
When construction of inlet is complete erect straw bale barrier, silt fence or other approved sediment barrier surrounding perimeter of inlet.
Install filter fabric completely around grate.
B. Maintenance.
Inspect inlet protection after every large storm event and at a minimum of once monthly.
Remove sediment accumulated when it reaches 4-inches in depth.
Repair or re-align barrier or fence as needed.
Look for bypassing or undercutting and re-compact soil around barrier or fence as required.

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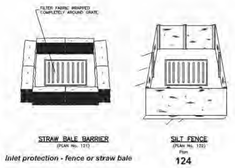


Inlet protection - fence or straw bale

Plan **124**

124 S SW-02 STRAW BAIL BARRIER

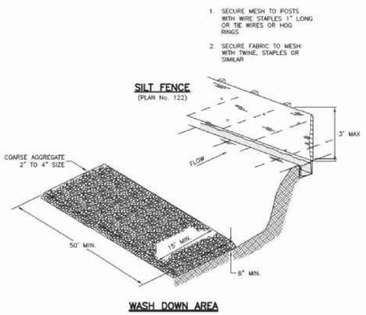
Equipment and vehicle wash down area

1. GENERAL
A. Description. A temporary stabilized pad of gravel for general washing of equipment and construction vehicles.
B. Application.
At any site where regular washing of vehicles and equipment will occur.
May also be used as a filling point for water trucks limiting erosion caused by overflow or spillage of water.

2. PRODUCT (Not used)

3. EXECUTION
A. Clear and grub area and grade to provide maximum slope of 1 percent away from paved roadway.
B. Compact subgrade.
C. Place filter fabric under wash down area if desired (recommended for wash area that remains more than 3 months).
D. Install silt fence down gradient (see Plan 122)
E. Maintenance.
Requires periodic top dressing with additional stones.
Solely used to control sediment in wash water. Cannot be utilized for washing equipment or vehicles that may cause contamination of runoff (such as fertilizer equipment or concrete equipment).
Keep the wash area in a condition which will prevent tracking or flow of mud onto public rights-of-way.
Periodically dress the top with 2-inch stone may be required, as conditions demand, and repair any structures used to trap sediments.
Inspect daily for loss of gravel or sediment buildup.
Inspect adjacent area for sediment deposit and install additional controls as necessary.
Expand stabilized area as required to accommodate activities.
Maintain silt fence as outlined in Plan 122.

NARRATIVE: THIS PLAN MAY BE USED FOR THE CONSTRUCTION OF A STORM WATER BEST MANAGEMENT PRACTICE (BMP). IT IS NOT INCLUSIVE OF ALL PRACTICES AVAILABLE AND IS ONLY SPECIFIC TO THE CONSTRUCTION OF THIS TYPE. MAINTENANCE OF THIS TYPE OF INSTALLATION IS IMPORTANT AND SHOULD BE CONTINUOUSLY MONITORED BY THE CONTRACTOR AND ENGINEER. DETAILS SHOWN HERE HIGHLIGHT IMPORTANT PARTS OF CONSTRUCTION, AND SHOULD BE MODIFIED AS NEEDED.



WASH DOWN AREA

Equipment and vehicle wash down area

Plan **125**

February 2006 17

125 SW-02 EQUIP. WASHDOWN AREA

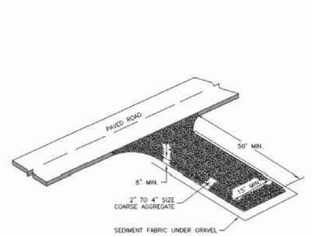
Stabilized roadway entrance

1. GENERAL
A. Description. A temporary stabilized pad of gravel for controlling equipment and construction vehicle access to the site.
B. Application. At any site where vehicles and equipment enter the public right of way.

2. PRODUCT (Not used)

3 EXECUTION
A. Clear and grub area and grade to provide maximum slope of 1 percent away from paved roadway.
B. Compact subgrade.
C. Place filter fabric under stone if desired (recommended for entrance area that remains more than 3 months).
D. Maintenance.
Prevent tracking or flow of mud into the public right-of-way.
Periodic top dressing with 2-inch stone may be required, as conditions demand, and repair any structures used to trap sediments.
Inspect daily for loss of gravel or sediment buildup.
Inspect adjacent area for sediment deposit and install additional controls as necessary.
Expand stabilized area as required to accommodate activities.

NARRATIVE: THIS PLAN MAY BE USED FOR THE CONSTRUCTION OF A STORM WATER BEST MANAGEMENT PRACTICE (BMP). IT IS NOT INCLUSIVE OF ALL PRACTICES AVAILABLE AND IS ONLY SPECIFIC TO THE CONSTRUCTION OF THIS TYPE. MAINTENANCE OF THIS TYPE OF INSTALLATION IS IMPORTANT AND SHOULD BE CONTINUOUSLY MONITORED BY THE CONTRACTOR AND ENGINEER. DETAILS SHOWN HERE HIGHLIGHT IMPORTANT PARTS OF CONSTRUCTION, AND SHOULD BE MODIFIED AS NEEDED.



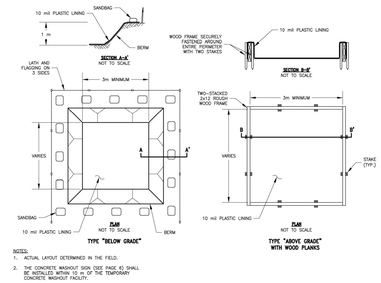
Stabilized roadway entrance

Plan **126**

February 2006 19

126 SW-02 STABILIZED ROADWAY ENTRANCE

- Materials used to construct temporary concrete washout facilities shall be removed from the site of the work and disposed of or recycled.
- Holes, depressions or other ground disturbance caused by the removal of the temporary concrete washout facilities shall be backfilled, repaired, and stabilized to prevent erosion.



NOTES:
1. ACTUAL LAYOUT DETERMINED IN THE FIELD.
2. THE CONCRETE WASHOUT SIGN, (SEE PAGE 6) SHALL BE INSTALLED WITHIN 10 m OF THE TEMPORARY CONCRETE WASHOUT FACILITY.

CW SW-02 CONCRETE WASHOUT AREA

DRAWING TITLE

EC DETAILS

CLEINT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS
PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

122 SW-02 SILT FENCE

124 S SW-02 STRAW BAIL BARRIER

125 SW-02 EQUIP. WASHDOWN AREA

126 SW-02 STABILIZED ROADWAY ENTRANCE

CW SW-02 CONCRETE WASHOUT AREA

REVISIONS:

REV #	DESCRIPTION	DATE

WEBER ENGINEERING COLLECTIVE
CIVIL• PLANNING• SURVEYING
SALT LAKE CITY, UTAH
PHONE (385) 229-9663

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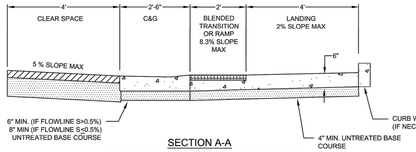
STAMP

PROFESSIONAL ENGINEER No. 6018985 2202 JACOB EUGENE WEBER 04/19/23 STATE OF UTAH

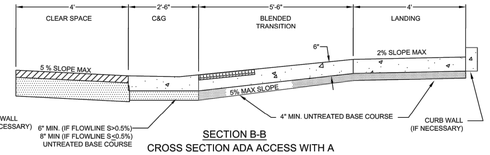
PROJECT NO. W-18-15
DATE 04/19/23
DRAWN BY: JACOB WEBER, P.E.
CKHD BY:
SHEET NUMBER EC-03

Blue Stakes of UTAH 811 Dial 811 or 811.com



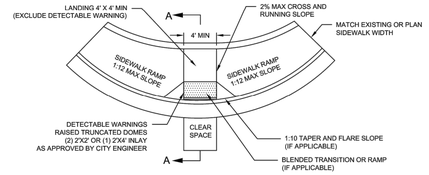
SECTION A-A

CROSS SECTION ADA ACCESS WITHOUT A PARK STRIP

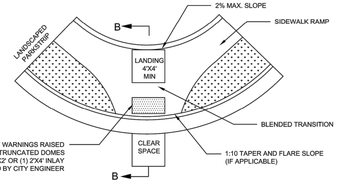


SECTION B-B

CROSS SECTION ADA ACCESS WITH A PARK STRIP



ADA ACCESS RAMP WITHOUT A PARK STRIP



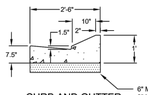
ADA ACCESS RAMP WITH A PARK STRIP

GENERAL NOTES

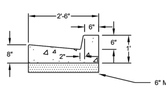
1. ALL CURB, GUTTER, SIDEWALK AND DRIVE APPROACHES SHALL BE DESIGNED AND STAKED BY A LICENSED ENGINEER OR LAND SURVEYOR AND SHALL SUBMIT A PLAN AND PROFILE DRAWING TO THE CITY ENGINEER FOR APPROVAL.
2. THE CITY ENGINEER WILL REQUIRE A LAYOUT INSPECTION.
3. 24 HR. NOTICE WILL BE REQUIRED FOR ALL CONCRETE INSPECTIONS. THE INSPECTOR MAY INSPECT THE FOLLOWING:
   A) DENSITY TESTS D) AIR ENTRAINMENT TESTS
   B) GRADE VERIFICATION E) EXPANSION JOINT PLACEMENT
   C) SLUMP TESTS F) COMPRESSION CYLINDER TESTS
4. CONCRETE:
   A) CONCRETE SHALL BE CLASS 4000 AS PER APWA SECTION 03 30 04
   B) CONCRETE SHALL BE 6.5 BAG MIX
   C) SLUMP SHALL BE LESS THAN 4"
   D) AIR ENTRAINMENT SHALL BE 6% +/- 1%
5. CURB AND GUTTER SHALL BE APWA STANDARD PLAN NO. 205 TYPE A.
6. SIDEWALK SHALL ADHERE TO APWA STANDARD PLAN 231. SIDEWALK SHALL BE 5" THICK FOR ALL SIDEWALK IN RESIDENTIAL AREAS AND 5" IN COMMERCIAL. DRIVE APPROACHES SHALL BE 8" THICK FOR RESIDENTIAL AND 9" FOR COMMERCIAL, OR SPECIFIED BY PROJECT ENGINEER.
7. FLARED DRIVE APPROACH SHALL BE APWA STANDARD PLAN NO. 221.
8. WATERWAY SHALL BE APWA STANDARD PLAN NO. 211.
9. REINFORCEMENT STEEL SHALL MEET REQUIREMENTS OF APWA SECTION 03 20 00.
10. SIDEWALK RAMP DETECTABLE WARNINGS SHALL BE RED RAISED TRUNCATED DOMES.
11. TRUNCATED DOMES SHALL BE 2'X4' INLAYS AND SHALL BE APPROVED BY THE CITY ENGINEER PRIOR TO INSTALLATION
12. CONCRETE PLACED IN COLD WEATHER CONDITIONS WILL BE PLACED IN ACCORDANCE WITH ACI 306R REQUIREMENTS.
13. SEE APWA STANDARD PLANS 235 TO 238 FOR ADDITIONAL INSTALLATION DETAILS.
14. WRITTEN REQUEST FOR CUTTER INSTALLATION MUST BE APPROVED IN WRITING BY THE CITY ENGINEER PRIOR TO INSTALLATION.

MAXIMUM SLOPES

	RUNNING SLOPE	CROSS SLOPE
LANDING	1:48 (2%)	1:48 (2%)
RAMP	1:12 (8.33%)	1:48 (2%)
CLEAR SPACE	1:20 (5%)	1:48 (2%)
BLENDED TRANSITION	1:20 (5%)	1:48 (2%)



CURB AND GUTTER TYPE D



CURB AND GUTTER TYPE A

DATE	REVISIONS	MADE BY
4/13	GENERAL REVISIONS	MSP
4/15	GENERAL REVISIONS	CTZ

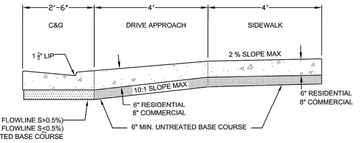
MURRAY CITY CORPORATION
ENGINEERING DEPARTMENT
4646 SOUTH 500 WEST
MURRAY, UT 84123
801 270-2400

MURRAY CITY

ADA ACCESS SIDEWALK RAMP

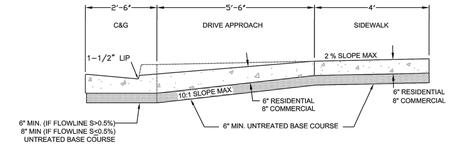
DETAILS C - 1

C-1 D-01 ADA ACCESS SIDEWALK RAMP



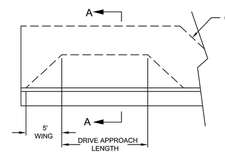
SECTION A-A

6' SIDEWALK TRANSITION AT DRIVEWAY



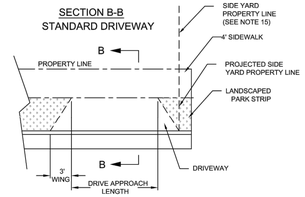
SECTION B-B

STANDARD DRIVEWAY



DRIVE APPROACH LENGTHS

RESIDENTIAL	12' MIN. - 30' MAX.
COMMERCIAL	25' MIN. - 50' MAX.



GENERAL NOTES

1. ALL CURB, GUTTER, SIDEWALK AND DRIVE APPROACHES SHALL BE DESIGNED AND STAKED BY A LICENSED ENGINEER OR LAND SURVEYOR AND SHALL SUBMIT A PLAN AND PROFILE DRAWING TO THE CITY ENGINEER FOR APPROVAL.
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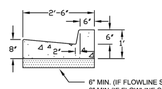
   B) GRADE VERIFICATION E) EXPANSION JOINT PLACEMENT
   C) SLUMP TESTS F) COMPRESSION CYLINDER TESTS
4. CONCRETE:
   A) CONCRETE SHALL BE CLASS 4000 AS PER APWA SECTION 03 30 04
   B) CONCRETE SHALL BE 6.5 BAG MIX
   C) SLUMP SHALL BE LESS THAN 4"
   D) AIR ENTRAINMENT SHALL BE 6% +/- 1%
5. CURB AND GUTTER SHALL BE APWA STANDARD PLAN NO. 205 TYPE A.
9. SIDEWALK SHALL ADHERE TO APWA STANDARD PLAN 231. SIDEWALK SHALL BE 5" THICK FOR ALL SIDEWALK IN RESIDENTIAL AREAS AND 5" IN COMMERCIAL. DRIVE APPROACHES SHALL BE 8" THICK FOR RESIDENTIAL AND 9" FOR COMMERCIAL, OR SPECIFIED BY PROJECT ENGINEER.
10. FLARED DRIVE APPROACH SHALL BE APWA STANDARD PLAN NO. 221.
11. WATERWAY SHALL BE APWA STANDARD PLAN NO. 211.
12. REINFORCEMENT STEEL SHALL MEET REQUIREMENTS OF APWA SECTION 03 20 00.
13. SIDEWALK RAMP DETECTABLE WARNINGS SHALL BE RED RAISED TRUNCATED DOMES.
14. SHALL BE APPROVED BY THE CITY ENGINEER PRIOR TO INSTALLATION. DETECTABLE WARNINGS SHALL BE 2'X4' INLAYS AND
15. DRIVE APPROACH SHALL NOT EXTEND BEYOND THE PROJECTED SIDE YARD PROPERTY LINE.

CURB AND GUTTER TYPE A



DATE	REVISIONS	MADE BY
5/30/01	GENERAL REVISIONS	JTS
4/5/04	RAMP UPDATES	JTS
10/09/04	GENERAL REVISIONS	JKS
4/13	GENERAL REVISIONS	MSP
4/15	GENERAL REVISIONS	CTZ

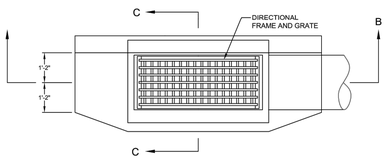
MURRAY CITY CORPORATION
ENGINEERING DEPARTMENT
4646 SOUTH 500 WEST
MURRAY, UT 84123
801 270-2400

MURRAY CITY

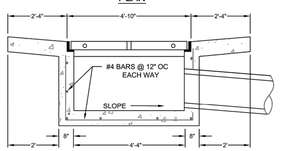
SIDEWALK DRIVE APPROACH SIDEWALK RAMP

DETAILS C - 2

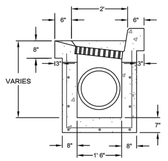
C-2 D-01 SIDEWALK DRIVE APP. S.W. RAMP



PLAN

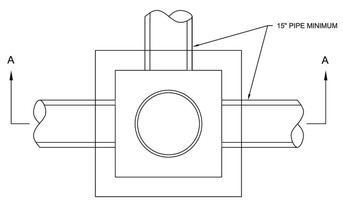


SECTION B - B



SECTION C - C

CATCH BASIN



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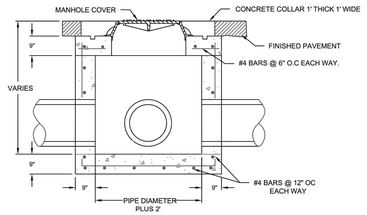


SECTION A-A

CLEANOUT BOX

GENERAL NOTES

1. CONCRETE SHALL BE CLASS 4000 AS PER APWA SECTION 03 30 04.
2. REINFORCEMENT SHALL SHALL BE ASTM A 615, GRADE 60, DEFORMED BARS AS PER APWA SECTION 03 20 00.
3. BACKFILL WITH GRADE 1 UNTREATED BASE COURSE AS PER APWA 32 11 23.1.
4. MANHOLE COVER SHALL BE APWA STANDARD PLAN NO. 401.
5. GRADE RINGS SHALL BE APWA STANDARD PLAN NO. 397.
6. CONCRETE COLLAR SHALL BE APWA STANDARD PLAN NO. 382
7. DIRECTIONAL GRATE AND FRAME SHALL BE APWA STANDARD PLAN NO. 309 OR 310.
8. EXTEND BOX 9" BELOW PIPE INVERT FOR SEDIMENT CONTROL.

DATE	REVISIONS	MADE BY
5/30/01	GENERAL REVISIONS	JTS
4/5/04	RAMP UPDATES	JTS
10/09/04	GENERAL REVISIONS	JKS
4/13	GENERAL REVISIONS	MSP

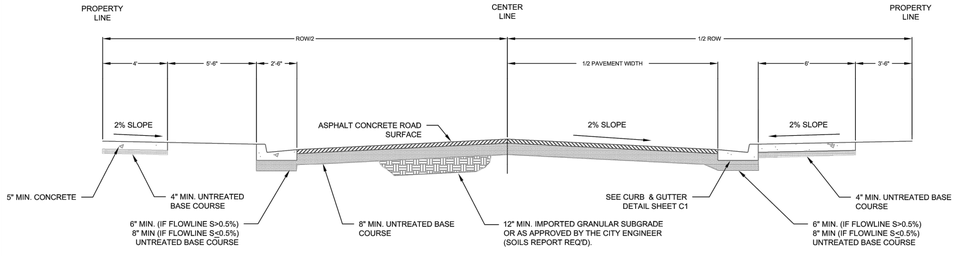
MURRAY CITY CORPORATION
ENGINEERING DEPARTMENT
4646 SOUTH 500 WEST
MURRAY, UT 84123
801 270-2400

MURRAY CITY

CATCH BASIN AND CLEANOUT

DETAILS C - 3

C-3 D-01 CATCH BASIN AND CLEANOUT



ROADWAY SECTION ROW*

*SIDEWALK, PARK STRIP AND ROAD WIDTHS VARY IN THE MU, TOD AND MCCD ZONES

ROADWAY SECTION				
CLASSIFICATION	ROW (FT)	PAVEMENT WIDTH (FT)	LANES	PAVEMENT THICKNESS (IN)
ALLEY	25 TO 30	22 TO 25	2	3
RESIDENTIAL	49 TO 50	25 TO 26	2	3
MINOR COLLECTOR	60	35 TO 36	2	4
MAJOR COLLECTOR	66 TO 80	40 TO 60	2 TO 5	5 TO 6
MINOR ARTERIAL	66 TO 80	40 TO 60	3 TO 5	6 TO 7

DATE	REVISIONS	MADE BY
4/15	GENERAL REVISIONS	MSP
4/15	GENERAL REVISIONS	CTZ

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ENGINEERING DEPARTMENT
4646 SOUTH 500 WEST
MURRAY, UT 84123
801 270-2400

MURRAY CITY

ROADWAY DETAIL

DETAILS C - 5

C-5 D-01 ROADWAY DETAILS

DRAWING TITLE

DETAILS

CLEINT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS
PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

DETAIL CALLOUTS

C-1 D-01 ADA ACCESS SIDEWALK RAMP

C-2 D-01 SIDEWALK DRIVE APP. S.W. RAMP

C-3 D-01 CATCH BASIN AND CLEANOUT

C-5 D-01 ROADWAY DETAILS

REVISIONS:

REV #	DESCRIPTION	DATE

WEBER ENGINEERING COLLECTIVE

CIVIL• PLANNING• SURVEYING

SALT LAKE CITY, UTAH
PHONE (385) 229-9663

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STAMP

PROFESSIONAL ENGINEER No. 9010985 2202 JACOB EUGENE WEBER STATE OF UTAH

PROJECT NO. W-18-15

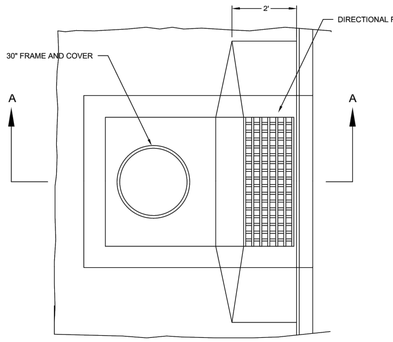
DATE 04/19/23

DRAWN BY: JACOB WEBER, P.E.

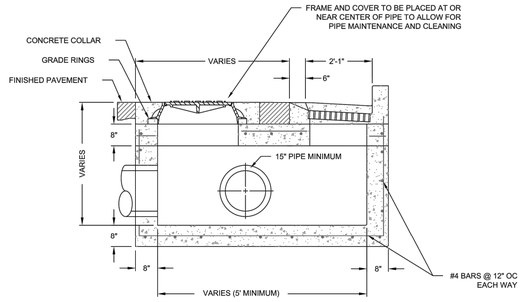
CKHD BY:

SHEET NUMBER D-01

Blue Stakes of UTAH 811 BlueStakes.UT



PLAN



SECTION A - A

COMBINATION INLET/CLEANOUT BOX

GENERAL NOTES

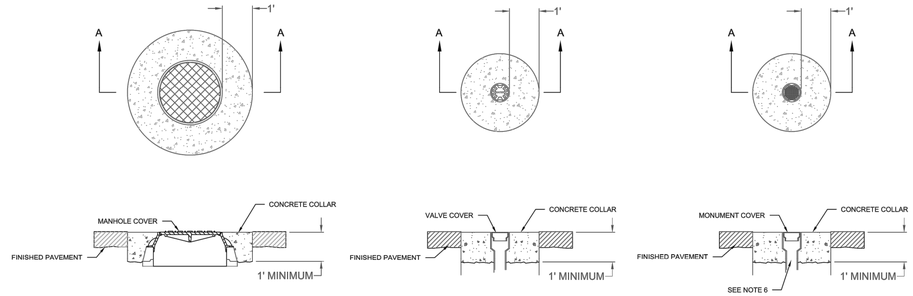
1. CONCRETE SHALL BE CLASS 4000 AS PER APWA SECTION 03 30 04.
2. REINFORCEMENT SHALL SHALL BE ASTM A 615, GRADE 60, DEFORMED BARS AS PER APWA SECTION 03 20 00.
3. BACKFILL WITH GRADE 1 UNTREATED BASE COURSE AS PER APWA 32 11 23 2.1.
4. MANHOLE COVER SHALL BE APWA STANDARD PLAN NO. 302.
5. GRADE RINGS SHALL BE APWA STANDARD PLAN NO. 381
6. CONCRETE COLLAR SHALL BE APWA STANDARD PLAN NO. 382
7. DIRECTIONAL GRATE AND FRAME SHALL BE APWA STANDARD PLAN NO. 309 OR 310.
8. EXTEND BOX 6" BELOW PIPE INVERT FOR SEDIMENT CONTROL.

DATE	REVISIONS	MADE BY
5/24/01	GENETAL REVISIONS	JTS
4/05/04	TITLE BLOCK REVISIONS	JTS
8/30/10	GENERAL REVISIONS	MSP

MURRAY CITY CORPORATION
ENGINEERING DEPARTMENT
4646 SOUTH 900 WEST
MURRAY, UT 84123
801 270-2400

MURRAY CITY
COMBINATION INLET/CLEANOUT BOX
C-4

C-4 D-02 COMBINATION IN. CLEANOUT BOX



SECTION A-A

MANHOLE COLLAR

SECTION A-A

WATER VALVE COLLAR

SECTIONA-A

SURVEY MONUMENT COLLAR

GENERAL NOTES

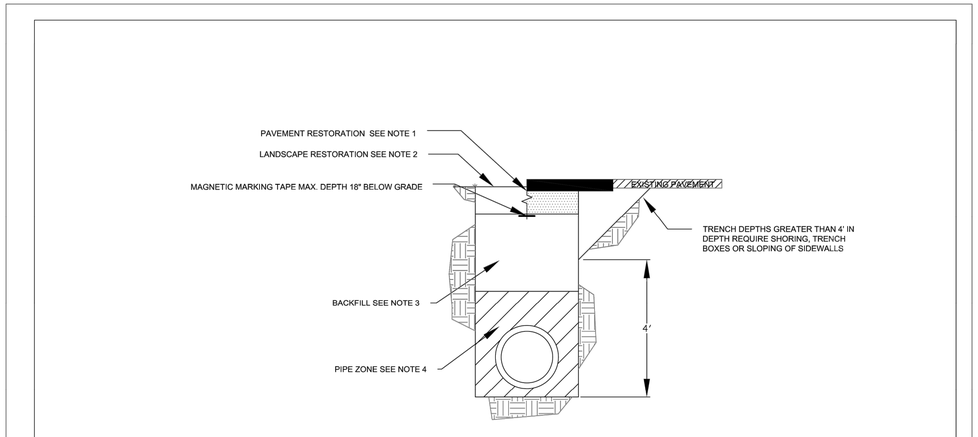
1. CONCRETE SHALL BE CLASS 4000 AS PER APWA SECTION 03 30 04. U-CART OR HAND MIXED CONCRETE WILL NOT BE ACCEPTED.
2. REINFORCEMENT SHALL SHALL BE ASTM A 615, GRADE 60, DEFORMED BARS AS PER APWA SECTION 03 20 00.
3. BACKFILL WITH GRADE 1 UNTREATED BASE COURSE AS PER APWA 32 11 23 2.1.
4. GRADE RINGS SHALL BE APWA STANDARD PLAN NO. 361
5. CONCRETE COLLAR SHALL BE APWA STANDARD PLAN NO. 362
6. SEE APWA STANDARD PLANS 273 AND 274 FOR MOUNMENT INSTALLATION DETAILS.
7. SALT LAKE COUNTY SURVEYOR MUST BE CONTACTED (385-468-8240) PRIOR TO MONUMENT INSTALLATION, REMOVAL OR RECONSTRUCTION.

DATE	REVISIONS	MADE BY
3/10/15	GENERAL REVISIONS	MSP
4/06/15	GENERAL REVISIONS	CTZ

MURRAY CITY CORPORATION
ENGINEERING DEPARTMENT
4646 SOUTH 900 WEST
MURRAY, UT 84123
801 270-2400

MURRAY CITY
MANHOLE AND VALVE COLLAR DETAIL
DETAILS C-6

C-6 D-02 MANHOLE AND VALVE COLLAR



TRENCH BACKFILL

NOTES

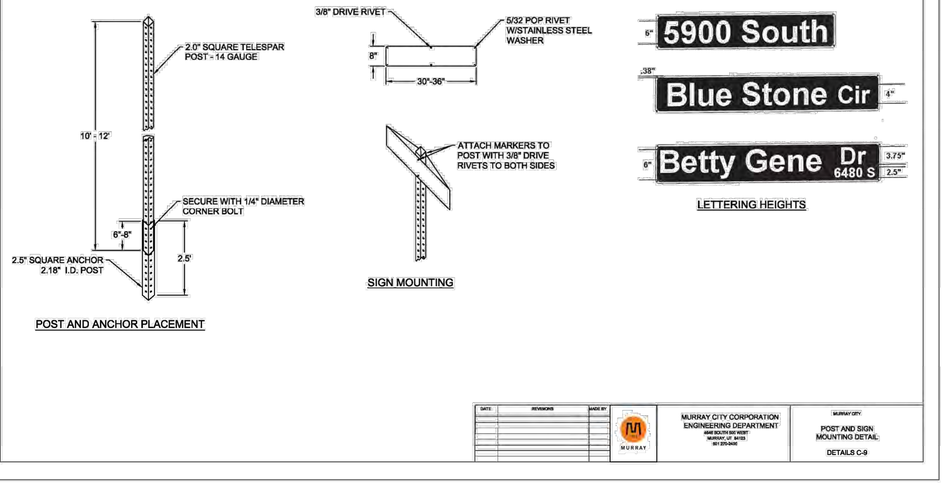
1. DO NOT INSTALL ASPHALT OR CONCRETE SURFACING UNTIL TRENCH COMPACTION IS ACCEPTED BY ENGINEER. SEE PLAN 255 OR 256 OF 2017 APWA STANDARD PLANS.
2. PROVIDE 4" OF COMPACTED TOPSOIL AND MATCH TO EXISTING GRADE. PLACE VEGETATION TO MATCH PRE-EXISTING CONDITIONS.
3. GRANULAR BACKFILL BORROW MATERIAL TO BE A-1 CLASSIFICATION WITH A MAXIMUM PARTICLE SIZE OF 2 ". UNCOMPACTED LIFT THICKNESS TO BE A MAXIMUM OF 8" AND PLACED ACCORDING TO 2007 APWA SECTION 31 05 15. FLOWABLE FILL TO BE LOW STRENGTH (60 PSI) PER APWA SECTION 31 05 15.
4. PIPE ZONE MATERIAL TO BE PLACE ACCORDING TO 2017 APWA STANDARD PLAN 382.

DATE	REVISIONS	MADE BY
2/13	GENERAL REVISIONS	MSP
2/19	GENERAL REVISIONS	CTZ

MURRAY CITY CORPORATION
ENGINEERING DEPARTMENT
4646 SOUTH 900 WEST
MURRAY, UT 84123
801 270-2400

MURRAY CITY
TRENCH BACKFILL
DETAIL C - 7

C-7 D-02 TRENCH BACKFILL



POST AND ANCHOR PLACEMENT

SIGN MOUNTING

DATE	REVISIONS	MADE BY

MURRAY CITY CORPORATION
ENGINEERING DEPARTMENT
4646 SOUTH 900 WEST
MURRAY, UT 84123
801 270-2400

MURRAY CITY
POST AND SIGN MOUNTING DETAIL
DETAILS C-9

C-5 D-02 POST AND SIGN MOUNTING DETAIL

Engineering Specifications & Requirements 13 Murray City Engineering

Blue Stakes of UTAH 811 — BlueStakes.vpn

DRAWING TITLE

DETAILS

CLEINT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS
PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

DETAIL CALLOUTS

C-4 D-02 COMBINATION IN. CLEANOUT BOX
C-6 D-02 MANHOLE AND VALVE COLLAR
C-7 D-02 TRENCH BACKFILL
C-5 D-02 POST AND SIGN MOUNTING DETAIL

REVISIONS:

REV #	DESCRIPTION	DATE

WEBER ENGINEERING COLLECTIVE
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PHONE (385) 229-9663

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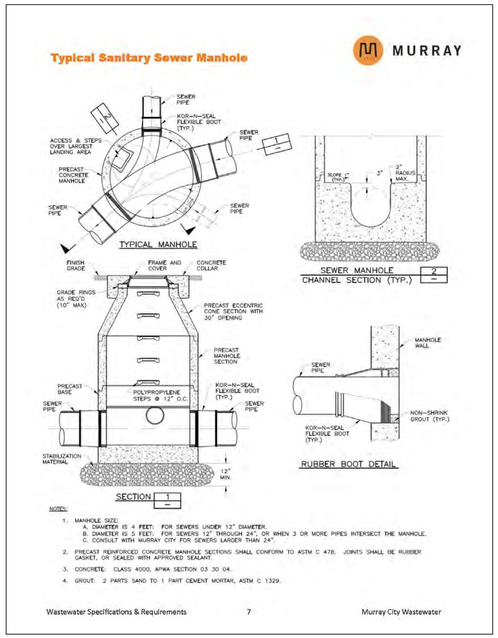
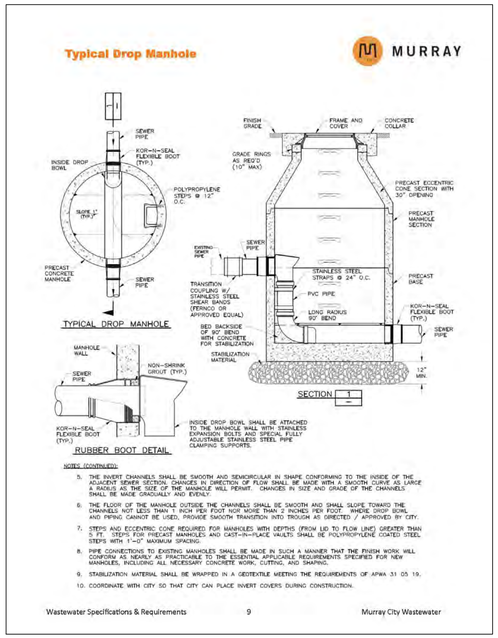
STAMP

PROFESSIONAL ENGINEER No. 9018985 2202 JACOB EUGENE WEBER STATE OF UTAH

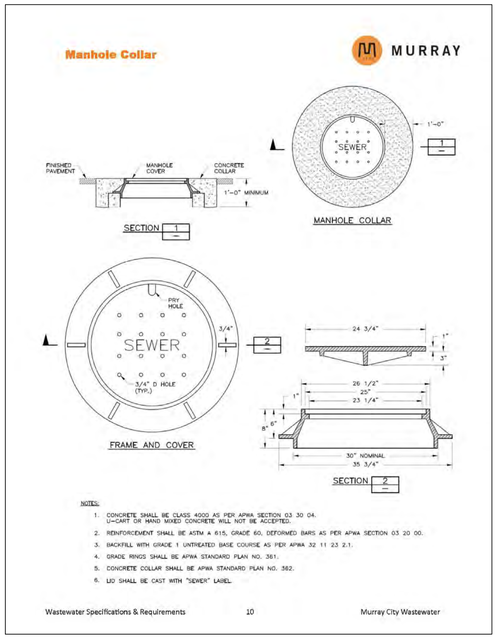
PROJECT NO. W-18-15
DATE 04/19/23
DRAWN BY: JACOB WEBER, P.E.
CKHD BY:
SHEET NUMBER D-02



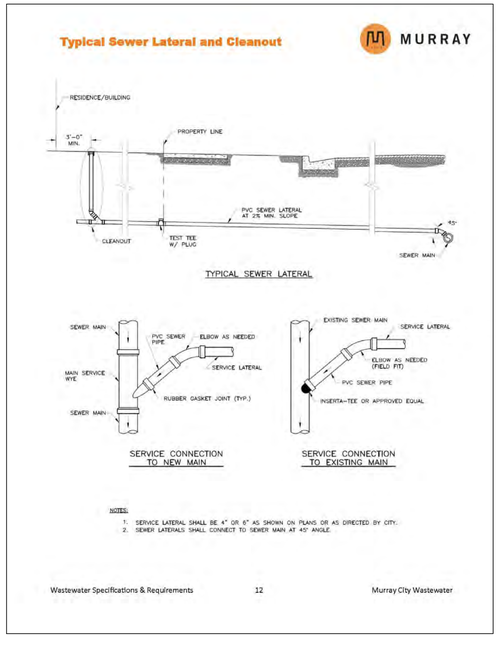
MCW-07 D-03 SANITARY SEWER MANHOLE



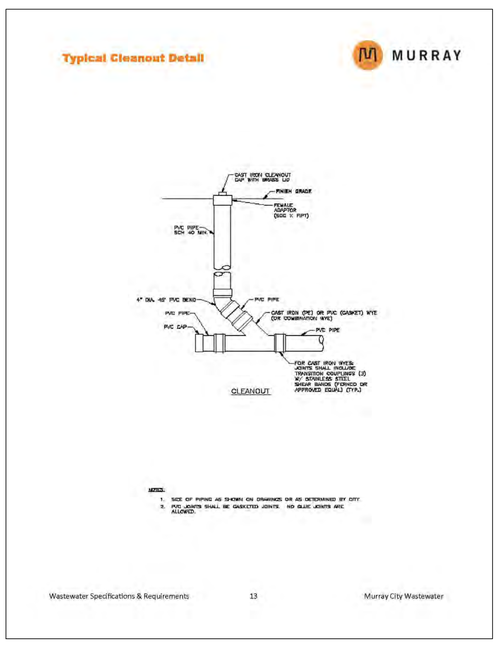
MCW-09 D-03 DROP MANHOLE



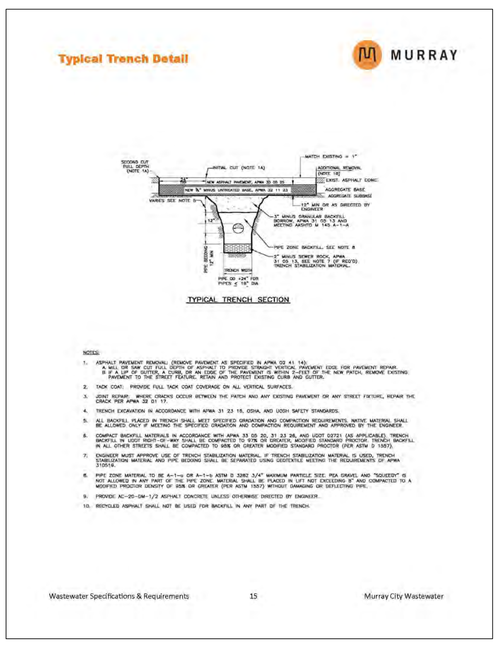
MCW-10 D-03 MANHOLE COLLAR



MCW-12 D-03 SEWER LATERAL AND C.O.



MCW-13 D-03 CLEANOUT DETAIL



MCW-15 D-03 TRENCH DETAIL

Blue Stakes of UTAH 811 — Blue811.com

DRAWING TITLE

SEWER DETAILS

CLEINT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS
PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

DETAIL CALLOUTS

MCW-07 D-03 SANITARY SEWER MANHOLE
MCW-09 D-03 DROP MANHOLE
MCW-10 D-03 MANHOLE COLLAR
MCW-12 D-03 SEWER LATERAL AND C.O.
MCW-13 D-03 CLEANOUT DETAIL
MCW-15 D-03 TRENCH DETAIL

REVISIONS:

REV #	DESCRIPTION	DATE

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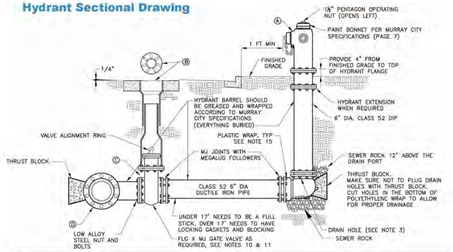
PROFESSIONAL ENGINEER No. 10108985 (2202) JACOB EUGENE WEBER 04/19/23 STATE OF UTAH

PROJECT NO. W-18-15
DATE 04/19/23
DRAWN BY: JACOB WEBER, P.E.
CKHD BY:
SHEET NUMBER D-03

Installation (Continued)

MURRAY CITY WATER

Hydrant Sectional Drawing



LEGEND					
ITEM	DESCRIPTION	PART NUMBER	ITEM	DESCRIPTION	PART NUMBER
(A)	FLANGE OR MJ FIRE HYDRANT AS REQUIRED. PAINT BONNET PER MURRAY CITY SPECIFICATIONS	MUELLER A-423 OR SUPER CENTURION HYDRANT AWWA/ANSI C502 DRY BARREL	(C)	GATE VALVE WITH 2" X 2" OPERATING NUT	MUELLER 6" RESILIENT SEAT GATE VALVE, OR EQUAL
(B)	SLIDING ADJUSTABLE VALVE BOX WITH DROP LID WITH THE WORD "WATER" CAST INTO IT	D&L M-8040 OR EQUAL	(D)	MJ X FLG TEE WITH ACCESSORIES	MJ X FLG TEE ANSI/AWWA C110/A21.10 WITH 125 FOUND FLANGE

SECTIONALS FOR HYDRANT PADS		
AREA	SIZE	CONCRETE MIN
OPEN AREA	4' X 4'	6" THICK-6 ½ BG (CLASS 4000)
CURB TO SIDEWALK	5' X 3'	5" THICK-6 ½ BG (CLASS 4000)

1. ALL WORK MUST BE INSPECTED BY CITY PERSONNEL PRIOR TO BACKFILL.
2. HYDRANT THRUST BLOCK REQUIRED WITH A MINIMUM OF 6.0 SQ. FEET BEARING ON UNDISTURBED SOIL.
3. DRAIN HOLES AT BASE OF HYDRANT TO REMAIN CLEAR WITH A MINIMUM OF ½ CU. YD. OF CLEAN 1 ½" MINUS GRAVEL PLACED AROUND HYDRANT BASE AND DRAIN. GRAVEL SHALL BE WRAPPED IN GEOTEXTILE FABRIC TO PREVENT MIGRATION OF FINES.
4. THE 4 ½" STREAMER NOZZLE TO FACE THE STREET.
5. FIRE HYDRANTS SHALL BE INSTALLED IN SUCH A MANNER THAT THE HYDRANT FLANGE IS 4" ABOVE FINISHED GRADE.
6. CONTRACTOR SHALL PLACE AND MAINTAIN A BLACK PLASTIC BAG OVER NEW FIRE HYDRANTS UNTIL THEY ARE PLACED IN SERVICE.
7. HYDRANT SHALL BE PAINTED RED WITH SHERWIN WILLIAMS B-542 INDUSTRIAL ENAMEL OR EQUAL. BONNETS SHALL BE PAINTED ACCORDING TO THE MAIN SERVING THE HYDRANT AS FOLLOWS: 4" OR LESS = WHITE, 6" = RED, 8" AND 10" = ORANGE, 12" OR GREATER = GREEN
8. STANDARD DRILLING – CAST FLANGES, ANSI/AWWA C110 125/A21.10 125.
9. SUPPLY AND INSTALL SERIES 1100 MEGALUG JOINT RESTRAINTS OR APPROVED EQUAL, AS REQUIRED ON D.I. PIPE.
10. GATE VALVES TO BE IN ACCORDANCE WITH AWWA C509. WHERE THE DISTANCE BETWEEN THE MAIN AND HYDRANT IS GREATER THAN 12', TWO GATE VALVES MAY BE REQUIRED (ONE ON MAIN, AND ONE AT HYDRANT)
11. ALL BURIED FITTINGS, AND BOLTS TO BE COATED WITH CHEVRON I'M GREASE #1 OR EQUAL AND WRAPPED WITH 8 MIL SHEET POLYETHYLENE.
12. ALL DUCTILE IRON PIPE TO BE IN ACCORDANCE WITH ANSI/AWWA C115/A21.15 CLASS 52.
13. SUBSTITUTIONS TO BE IN ACCORDANCE WITH APWA SEC. 01 25 00.
14. ALL WORK AND MATERIALS TO BE IN ACCORDANCE WITH ANSI/AWWA C502 AND THE APWA GENERAL CONDITIONS AND STANDARD SPECIFICATIONS FOR CONSTRUCTION.
15. PRIOR TO POURING CONCRETE, WRAP PIPE SYSTEM WITH 8 MIL THICK HDPE SHEET TO PREVENT BONDING OF CONCRETE TO PIPE SYSTEM. CUT HOLES IN PLASTIC AROUND DRAIN HOLES ON HYDRANT.

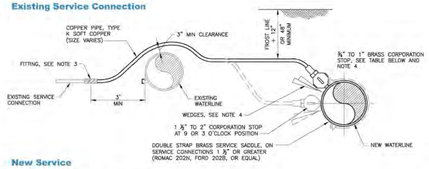
MCW-10 D-04 FIRE HYDRANT

Installation (Continued)

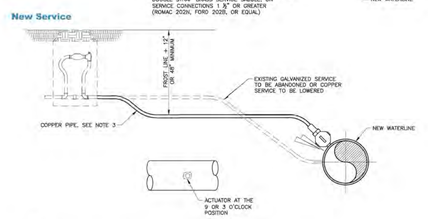
MURRAY CITY WATER

Water Service Taps

Existing Service Connection



New Service



NOTES:
1. FOR EXISTING COPPER SERVICES, DETACH EXISTING SERVICE CONNECTION, EXTEND (USING COPPER SERVICE OF EQUAL SIZE) OR SHORTEN AS NECESSARY, AND RECONNECT TO NEW WATER MAIN, UNLESS NOTED OTHERWISE.
2. FOR EXISTING GALVANIZED SERVICES, REPLACE EXISTING SERVICE WITH COPPER SERVICE OF EQUAL SIZE. REPLACE BETWEEN EXISTING METER AND NEW WATER MAIN, INCLUDING REPLACEMENT OF METER, YOKE, AND BOX, UNLESS NOTED OTHERWISE.
3. USE COPPER TO COPPER FLARE FITTINGS.
4. CONTRACTOR SHALL ROTATE CORPORATION STOP SO THAT VALVE ACTUATOR RUNS PARALLEL WITH PIPE AT THE 9 OR 3 O'CLOCK POSITION. REDWOOD OR PRESSURE TREATED WOOD SHIMS SHALL BE PLACED UNDER CORPORATION STOP TO PROVIDE SUPPORT DURING BACKFILLING.
5. ALL NEW SERVICES SHALL BE A MINIMUM OF 1". ¾" CONNECTIONS SHALL ONLY BE USED FOR REDIRECTED SERVICES.

CORP STOP TABLE	
¾" OR 1"	1½" OR 2"
MUELLER H-15000 (OR EQUAL)	MUELLER B-25000 (OR EQUAL)

MCW-12 D-04 WATER LATERAL DTL.

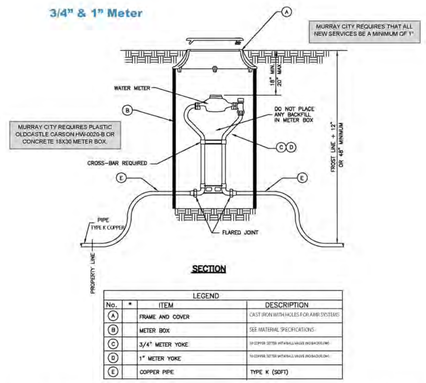
Installation (Continued)

MURRAY CITY WATER

Meter Box Installation

1. All meters are to be installed in the park strip or within 5 feet of the property line (street side).
2. Do not install meter boxes under driveway approaches, sidewalks, in parking lots, or under curb and gutter. Box should be placed in a landscaped area.
3. The box shall be set so that the grade of the frame and the cover matches the grade of the surrounding surface.
4. Concrete meter boxes with larger lids may be deemed necessary by Murray City personnel in a situation where the meter must by placed in an asphalt, concrete or other high traffic area.

3/4" & 1" Meter



SECTION

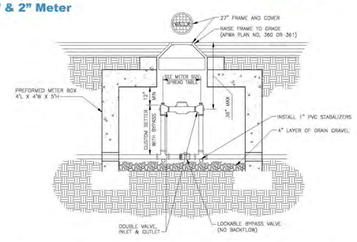
LEGEND			
No.	*	ITEM	DESCRIPTION
(A)		FRAME AND COVER	CAST IRON WITH HOLES FOR ANTI-TAMPER SYSTEMS
(B)		METER BOX	SEE MATERIAL SPECIFICATIONS
(C)		3/4" METER YOKE	TH-CF3/4-3/8"TEE WITH MJ X FLG ADAPTER (MEGALUG)
(D)		1" METER YOKE	TH-CF1IN-1IN"TEE WITH MJ X FLG ADAPTER (MEGALUG)
(E)		COPPER PIPE	TYPE K (SOFT)

MCW-14 D-04 WATER METER BOX

Installation (Continued)

MURRAY CITY WATER

1 1/2" & 2" Meter



NOTES:
1. ALL WORK MUST BE INSPECTED BY CITY PERSONNEL PRIOR TO BACKFILL.
2. FROM THE TOP OF THE LID TO THE CENTER LINE OF THE METER TO BE 20"± 4".
3. CENTER MANHOLE OVER METER.
4. TURBINE METERS ON ALL SYSTEMS USED EXCLUSIVELY FOR IRRIGATION OR FIRE PROTECTION. WHERE DOMESTIC USE IS TO BE USED, USE STANDARD METER.
5. BYPASS VALVE TO BE LEFT IN THE OPEN POSITION.
6. 6" GRADE RING REQUIRED.
7. ALLOW A 1" CLEARANCE AROUND WATER LINE WHERE PASSING THROUGH CONCRETE WALLS. SEAL VOID WITH MANNICK SEALANT.
8. ALL VALVES TO BE RESILIENT WEDGE METER.
9. MINIMUM SUPPLY FOR WATER SERVICE TO BE 48 INCHES EXCEPT WHERE 60 INCHES IS DESIGNATED BY THE ENGINEER.
10. SUBSTITUTIONS: APWA 01 25 00

METER SIZE SPREAD TABLE	
METER SIZE	SPREAD
1 ½"	13"
2"	17"

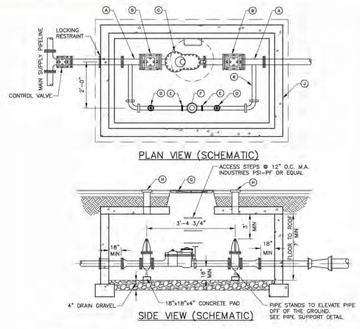
Meter Box in Concrete Installation

MCW-15 D-04 1.5 Inch. & 2 inch METER

Installation (Continued)

MURRAY CITY WATER

Meters Larger than 2"



LEGEND			
No.	*	ITEM	DESCRIPTION
(A)		3" OR 4" FLANGE X MJ ADAPTER	
(B)		3" OR 4" GATE VALVE WITH 2" X 2" OPERATING NUT	
(C)	*	3" OR 4" METER	
(D)		2" GATE VALVE	
(E)		2" METER FLANGE	
(F)	*	2" DISPLACED METER	
(G)		27" FRAME AND COVER	
(H)		TOP SECTION OF VALVE BOX WITH LID	
(J)		CONCRETE BOX	APWA PLAN NO. 505
(K)		BRASS PIPING	

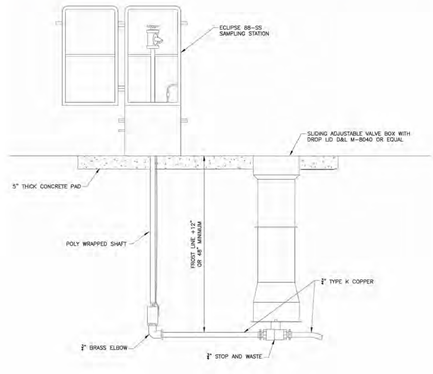
* FURNISHED BY MURRAY CITY

MCW-16 D-04 WATER METERS

Installation (Continued)

MURRAY CITY WATER

Sampling Stations



1. ¾ inch tap shall be installed using C.C. corp with flare fitting (see water service taps page 9).
2. Type K copper tubing must be installed from the water main to the sampling station..
3. All connections shall be lead free brass with flared fittings.
4. All work must be inspected by a Murray City Water Division inspector prior to being backfilled.
5. Bottom of sampling station enclosure needs to be wrapped in 20 mil tape and set in concrete pad for support.

MCW-17 D-04 WATER SAMPLING STATION

Blue Stakes of UTAH 811 — Blue Stakes.com

DRAWING TITLE

WATER DETAILS

CLEINT

APPLEGATE LLC
SALT LAKE CITY, UT

COMPLETION STATUS
PRELIMINARY PLANS

PROJECT

FUJI Townhomes
MURRAY, UT

GENERAL

DETAIL CALLOUTS

MCW-10 D-04 FIRE HYDRANT
MCW-12 D-04 WATER LATERAL DTL.
MCW-14 D-04 WATER METER BOX
MCW-15 D-04 1.5 Inch. & 2 inch METER
MCW-16 D-04 WATER METERS
MCW-17 D-04 WATER SAMPLING STATION

REVISIONS:

REV #	DESCRIPTION	DATE

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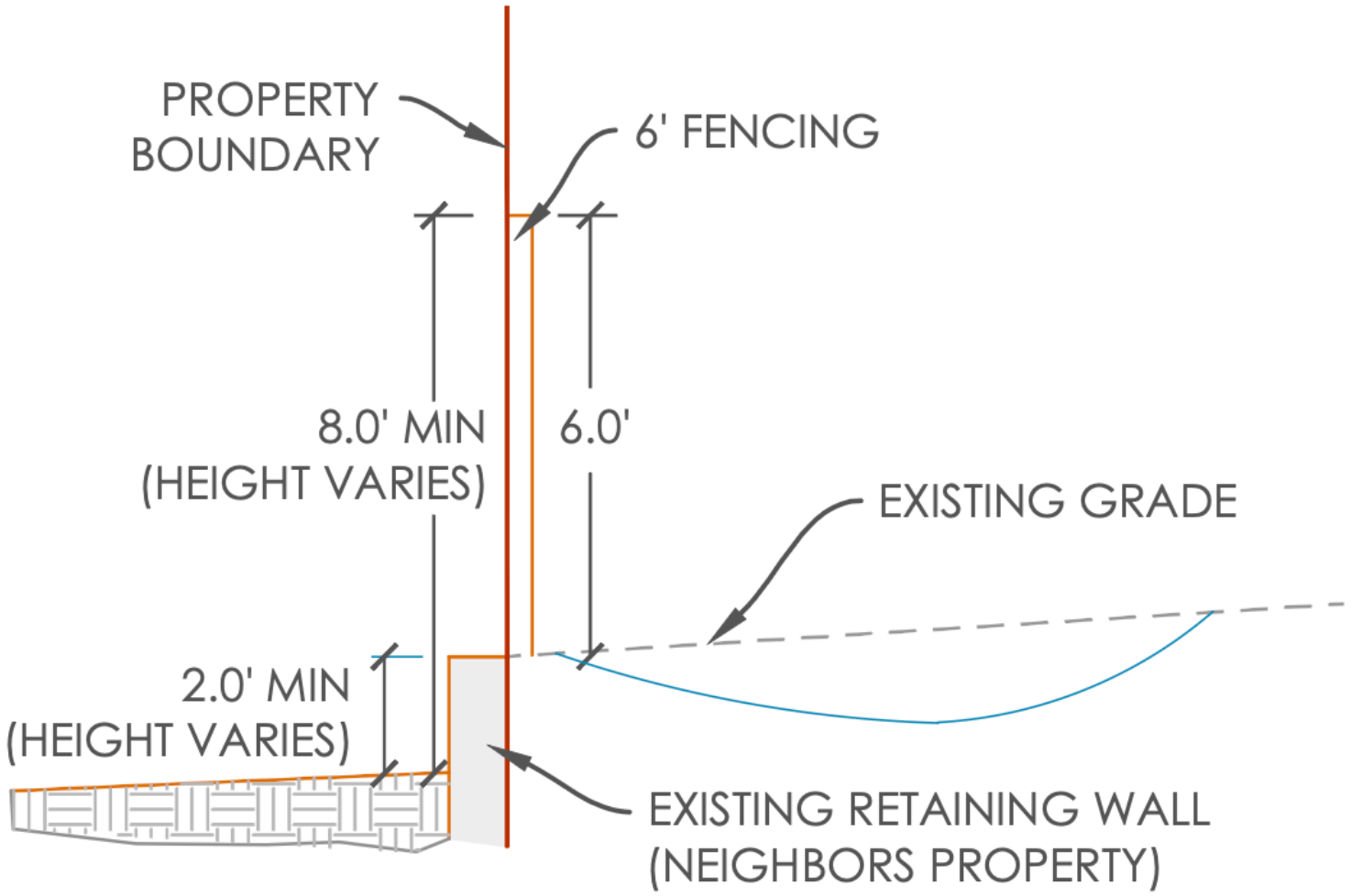
PROFESSIONAL ENGINEER No. 10189885 2202 JACOB EUGENE WEBER STATE OF UTAH

PROJECT NO. W-18-15
DATE 04/19/23
DRAWN BY: JACOB WEBER, P.E.
CKHD BY:
SHEET NUMBER D-04



SECTION B-B - PERIMETER FENCING

LANDSCAPE NOTES:

GENERAL

1. ALL OUTDOOR LIGHTING SHALL BE DARK SKY COMPLIANT, AND ARC APPROVED.
2. AREAS DISTURBED BY SITE DEVELOPMENT WILL BE RESTORED TO REFLECT THE CHARACTERISTICS OF THE NATURAL ENVIRONMENT OR/AND
3. ENHANCED WITH PLANTS SELECTED FROM THE APPROVED PLANT LIST.
4. PERMANENT DRIP IRRIGATION WILL BE PROVIDED FOR TREES. AS NEEDED IRRIGATION WILL BE PROVIDED FOR OTHER LANDSCAPING IN
5. PRIVATE AND TRANSITIONAL AREAS. EXCLUDING TREES, PERMANENT IRRIGATION OF THE NATIVE AREAS IS NOT PERMITTED.
6. OWNERS WILL VEGETATE, IRRIGATE, AND MAINTAIN THE AREA FROM THE EDGE OF ASPHALT TO THE PRIVATE AREA WITH PLANTS AND
7. TREES SELECTED FROM THE APPROVED PLANT LIST.
8. OWNERS ARE RESPONSIBLE TO PROVIDE ACCESS TO AND TO REPAIR DAMAGE THAT MAY OCCUR WITHIN THE PUES AND RIGHTS-OF-WAY
9. BY ANY UTILITY COMPANY OR THE ASSOCIATION FOR ANY SERVICES, REPAIRS, OR MAINTENANCE INCLUDING SNOW REMOVAL.
10. ALL WORK IS TO BE PERFORMED BY AN EXPERIENCED LANDSCAPE CONTRACTOR WITH NO LESS THAN FIVE(5) YEARS OF EXPERIENCE OF PROJECTS SIMILAR IN SCOPE AND SIZE.
11. THE LANDSCAPE CONTRACTOR IS TO VERIFY THE LOCATION OF ALL UNDERGROUND UTILITIES PRIOR TO INSTALLATION, ALL UTILITIES MUST BE CLEARLY MARKED. BEFORE EXCAVATION ALL UTILITIES ARE TO BE POT-HOLED BY HAND OR EQUIPMENT IN A MANNER THAT DOES NOT CAUSE DAMAGE.

    UTILITY SETBACKS:
    WATER & SEWER LINES - 10 FEET
    GAS LINES - 4 FEET
    FIRE HYDRANTS- 5 FEET (LIMIT PLANT HEIGHT TO 8")
12. CONTRACTOR TO VERIFY ALL PLANT LOCATIONS AND QUANTITY BEFORE INSTALLATION. IF DISCREPANCIES BETWEEN PLAN AND PLANTING SCHEDULE EXIST, PLAN TAKES PRECEDENCE OVER PLANTING SCHEDULE.
13. ANY FIELD ADJUSTMENTS TO PLANT LOCATIONS SHALL BE MADE UNDER THE DIRECTION OF THE LANDSCAPE ARCHITECT OR OWNER'S REPRESENTATIVE. ANY PLANT LOCATION ADJUSTMENTS OR SUBSTITUTIONS SHALL BE APPROVED BY THE CITY PLANNING OFFICE PRIOR TO ANY CHANGE FROM THE APPROVED LANDSCAPE PLAN.
14. THE WARRANTY PERIOD UNLESS STATED OTHERWISE WILL BE ONE YEAR AFTER SUBSTANTIAL COMPLETION. ALL LANDSCAPE MATERIAL DAMAGED OR DEAD DUE TO INSTALLATION METHODS WILL BE REPLACED AT OWNER'S DISCRETION.

PLANTING

15. ALL TREES IN TURF AREAS ARE TO BE PLANTED WITH SPECIFIED WOOD MULCH AT A DEPTH OF 4". NO WEED BARRIER FABRIC UNDER CEDAR MULCH.
16. STAKE ALL TREES WITH 6' TREATED PINE POSTS. USE GUY WIRES WITH NON-STRECH NYLON PROTECTIVE STRAPS AROUND TRUNK.
    3 STAKES PER DECIDUOUS TREE
    3 STAKES PER EVERGREEN TREE
17. ALL PLANTING PITS ARE TO BE CLEARED OF ALL ROCK, SUB BASE MATERIAL, AND DEBRIS. AMENDED TOPSOIL TO BE INSTALLED WITHIN, PER DETAIL.
18. NO FINAL GRADES CAUSING DRAINAGE AWAY FROM CURBS, DESIGNATED DRAINAGE INLETS, OR STAGNATE WATER WILL BE ALLOWED.
19. PLACE 4" CORRUGATED PIPE AROUND ALL TREE TRUNKS. TOP OF THE PIPE MUST BE 4" MIN. FROM THE LOWEST BRANCH.
20. ALL TREES TO BE BALLED & BURLAP WITH SIZES AND SPECIES TRUE TO THE PLANT LEGEND.
21. PLANT SUBSTITUTIONS SHALL BE REQUESTED IN WRITING AND APPROVED BY THE LANDSCAPE CONTRACTOR PRIOR TO CONSTRUCTION BY OWNER.
22. ALL PLANTING MATERIAL SHALL BE APPROVED AND INSPECTED BY OWNER'S REPRESENTATIVE PRIOR TO INSTALLATION. TREE AND SHRUB TAGS SHALL BE LEFT ON PLANTS UNTIL INSPECTED.
23. LANDSCAPE CONTRACTOR IS TO COORDINATE SCHEDULE IN A MANNER THAT ALLOWS PLANTING MATERIAL TO BE INSTALLED IN A TIMELY MANNER. IF TEMPORARY STORAGE IS NECESSARY, CONTRACTOR SHALL PROVIDE ADEQUATE PROTECTION FROM WEATHER AND HEAT. REGULAR WATERING IS REQUIRED UNTIL INSTALLATION.
24. NO OPEN PLANTING PITS SHALL BE LEFT OPEN OR UNATTENDED.
25. THE PLANT SCHEDULE IS FOR REFERENCE ONLY, CONTRACTOR TO VERIFY ALL QUANTITIES AND LOCATIONS SHOWN ON THE LANDSCAPE PLAN.
26. ALL PLANTING MATERIAL SHALL COMPLY TO THE STANDARDS OF ANSI FOR NURSERY STOCK.

GROUND COVERS/MULCHES

27. THE FINAL GRADE IN TURF AREAS ARE TO BE 1" BELOW ANY PAVED SURFACE OR EDGING IN ORDER TO RETAIN SOD.
28. THE FINAL GRADE IN ALL MULCHED AREAS ARE TO BE 3" BELOW ANY PAVED SURFACE OR EDGING IN ORDER TO RETAIN MULCH.
29. ROCK MULCH AREAS ARE TO HAVE WEED BARRIER FABRIC INSTALLED UNDERNEATH. DEPTH OF ROCK MULCH SHALL BE 4" MINIMUM & OBTAINED FROM A LOCAL SUPPLIER, OWNER TO APPROVE PROVIDED SAMPLE BEFORE INSTALLATION.
30. WEED BARRIER FABRIC IS TO BE DEWITT PRO 5.5 OR APPROVED EQUAL. SECURE FABRIC WITH COMMERCIAL GRADE FABRIC PINS, 6" LONG BY 1" WIDE. LAY FABRIC PARALLEL TO FINAL GRADE WITH 6" OVERLAPS BETWEEN SECTIONS.
31. WOOD MULCH AREAS DO NOT REQUIRE WEED BARRIER FABRIC. DEPTH OF CEDAR MULCH SHALL BE 4" MINIMUM & OBTAINED FROM A LOCAL SUPPLIER, OWNER TO APPROVE PROVIDED SAMPLE BEFORE INSTALLATION.

TURF

32. REFER TO LANDSCAPE PLAN AND SCHEDULE FOR ALL TURF AREAS. TURF SHALL BE AN IMPROVED KENTUCKY BLUEGRASS VARIETY WITH AT LEAST THREE VARIETIES.
33. CONTRACTOR TO SUBMIT PRODUCT INFORMATION TO OWNER'S REPRESENTATIVE PRIOR TO INSTALLATION.
34. LAY TURF WITHIN 24 HOURS OF DELIVERY, PRIOR TO INSTALLATION THE CONTRACTOR SHALL HAVE THE IRRIGATION SYSTEM FULLY OPERATIONAL.
35. TURF SHALL BE FREE OF NOXIOUS WEEDS AND IN HEALTHY CONDITION. ALL DEBRIS 1 INCH OR GREATER SHALL BE REMOVED.
36. ON FINAL GRADES 3:1 OR GREATER, CONTRACTOR TO STABILIZE ROLLS WITH WOOD PEGS OR SOD STAPLES. TURF TO BE LAID PARALLEL TO SLOPE, STAGGER ROLLS WITH NO OVERLAPPING OR GAPS.
37. AFTER TURF IS INSTALLED, ALL AREAS ARE TO BE IMMEDIATELY IRRIGATED.
38. CONTRACTOR TO ERECT FENCING OR WARNING TAP AROUND TURF AREAS TO DETER FOOT TRAFFIC DURING THE ENTIRETY OF THE WARRANTY PERIOD OR UNTIL SOD IS COMPLETELY ESTABLISHED.

SEED

39. ALL AREAS DISTURBED DURING CONSTRUCTION SHALL BE SEEDED UNLESS STATED OTHERWISE.
40. SEEDING SHALL BE INSTALLED DURING THE TIME PERIOD BETWEEN MAY AND OCTOBER.
41. SEED SHALL BE 95% PURE LIVE SEED.
42. ALL SEEDED AREAS SHALL BE RIPPED AND TILLED AT A DEPTH OF 4" WITH FINAL GRADE ESTABLISHED PRIOR TO SEEDING.
43. CONTRACTOR TO USE A BRILLION TYPE SEEDER WITH ROWS NOT EXCEEDING 8 INCHES. IN AREAS WHERE EQUIPMENT IS NOT PRACTICAL, HAND BROADCAST AT TWICE THE RATE.
44. NO SEEDING SHALL OCCUR DURING TIMES OF EXCESSIVE WIND OR FREEZING TEMPERATURES.
45. STRAW MULCH OR HYDRO-MULCH NEEDS TO BE INSTALLED WITHIN 24 HOURS AFTER SEEDING. STRAW MULCH IS TO BE SPREAD AT A RATE OF 2 TONS/ACRE. HYDRO-MULCH IS TO BE SPREAD AT A RATE OF 1 TON/ACRE UNIFORMLY. NO OPEN OR BARE AREAS SHALL BE ALLOWED.

SOIL PREPARATION & EROSION CONTROL

46. AREAS RECEIVING PLANT MATERIAL SHALL BE AMENDED WITH COMMERCIAL GRADE CLASS II COMPOST.
47. COMPOST SHALL BE SPREAD AT A RATE OF 3 CY / 1000 SQ FT IN PLANTING BEDS AND TURF AREAS, 2 CY / 1000 SQ FT IN SEEDED AREAS. TILL COMPOST INTO TOPSOIL AT A DEPTH OF 6 INCHES.
48. CLEAR SOIL OF ALL ROCK, BRANCHES OR MISC. DEBRIS OVER 1 INCH IN SIZE.

FERTILIZER

    SOD - COMMERCIAL GRADE (NPK: 18-46-0) APPLICATION RATE: 10LBS / 1000 SQ FT
    SEED - COMMERCIAL GRADE (NPK: 18-46-0) APPLICATION RATE: 10LBS / 1000 SQ FT
    PLANTS - BIOSOLE FORTE (NPK: 7-2-1)

IRRIGATION

49. ALL LANDSCAPE AREAS TO RECEIVE IRRIGATION BY AN UNDERGROUND AUTOMATIC IRRIGATION SYSTEM. ALL TREES AND SHRUB BEDS TO BE DRIP IRRIGATED, ALL SOD TO BE IRRIGATED WITH SPRAY AND ROTOR HEADS.
50. THE IRRIGATION SYSTEM IS TO BE INSTALLED BY THE LANDSCAPE CONTRACTOR. CONTRACTOR TO VERIFY LOCATION OF POINT OF CONNECTION, AND STATIC PRESSURE OF SYSTEM BEFORE INSTALLATION.
51. TREES PLANTED IN ROCK MULCHED AREAS SHOULD HAVE DRIP IRRIGATION WITH A MINIMUM OF 3 EMITTERS OR BUBBLERS PLACED ON OPPOSITE SIDES OF THE STEM OR DRIP TUBING RINGS (PREFERRED) WITH A MINIMUM OF 4 INLINE EMITTERS. ALL EMITTERS SHOULD BE PLACED ON TOP OF THE ROOT, AT THE PERIMETER OF THE AMENDED SOIL AREA.

LEGEND

1. CLUBHOUSE
2. PICKLE-BALL COURTS
3. PLAYGROUND AREA
4. POOL
5. DOG PARK
6. DETENTION POND
7. GRASS LAWNS
8. COURTYARD
9. PAVILIONS
10. TOWNHOMES

PLANTING LEGEND

EXISTING TREES TO REMAIN

PROPOSED CANOPY & STREET TREES

PROPOSED SHRUBS & PERENNIALS

N

40' 0 40' 80'

Scale 1" = 40'

Scale 1" = 80' for 11x17

THIS DOCUMENT IS RELEASED FOR REVIEW ONLY. IT IS NOT INTENDED FOR CONSTRUCTION UNLESS SIGNED AND SEALED.

BRYAN M. NICHOLAS P.L.A.
SERIAL NO. 12902936-5301
DATE: 09 NOV 2022

FUJI TOWNHOMES

MURRAY, UTAH

PRELIMINARY LANDSCAPE PLAN

berg LANDSCAPE ARCHITECTS
380 E Main St, Suite 204
Midway, Ut 84049 ph. (801) 723-2000

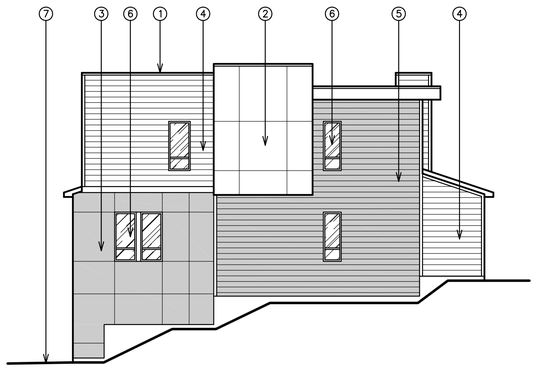
DESIGN BY:BMN DRAWN BY:BMN	DATE:09 NOV 2022 REV:	SHEET L1

LEGEND

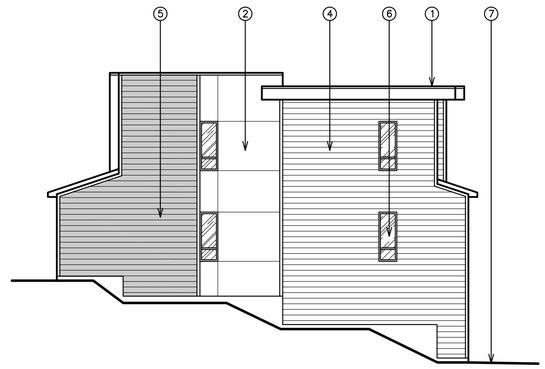
1. PRE-FINISHED, SLOPED EDGE CAP FLASHING W/ DRIP EDGE.
2. *STUCCO SYSTEM (1 COAT), OVER WIRE LATH, OVER (1) LAYER GRADE 'D' FELT APPLIED SHINGLE STYLE, OVER MASTERSEAL AWB 665 FLUID APPLIED AIR BARRIER SYSTEM (INSTALL PER MANUFACTURER'S SPECIFICATIONS), OVER SHEATHING PER STRUCTURAL. STUCCO SYSTEM TO BE APPROVED MANUFACTURER PER ES REPORT #382, OR CITY/ARCHITECT APPROVED EQUAL. PREPARE SUBSTRATE & INSTALL PER MANUFACTURER'S INSTRUCTIONS, DETAILS, AND RECOMMENDATIONS INCLUDING CONTROL JOINTS SPACING.*
3. *STUCCO SYSTEM (1 COAT), OVER WIRE LATH, OVER (1) LAYER GRADE 'D' FELT APPLIED SHINGLE STYLE, OVER MASTERSEAL AWB 665 FLUID APPLIED AIR BARRIER SYSTEM (INSTALL PER MANUFACTURER'S SPECIFICATIONS), OVER SHEATHING PER STRUCTURAL. STUCCO SYSTEM TO BE APPROVED MANUFACTURER PER ES REPORT #382, OR CITY/ARCHITECT APPROVED EQUAL. PREPARE SUBSTRATE & INSTALL PER MANUFACTURER'S INSTRUCTIONS, DETAILS, AND RECOMMENDATIONS INCLUDING CONTROL JOINTS SPACING.*
4. FIBER-CEMENT BOARD SIDING. PAINT & INSTALL PER MANUFACTURER'S SPECS. HORIZONTAL LAP PER ELEVATIONS COLOR A
5. FIBER-CEMENT BOARD SIDING. PAINT & INSTALL PER MANUFACTURER'S SPECS. HORIZONTAL LAP PER ELEVATIONS COLOR B
6. DBL. GLAZED VINYL SLIDING WINDOWS & PATIO DOORS, SEE DETAIL 1/A-301. CAULK ALL AROUND.
7. FINISH GRADE PER CIVIL DRAWINGS.

NOTE:MASTERSEAL AWB 665 FLUID APPLIED AIR BARRIER SYSTEM TO BE INSTALLED BEHIND ALL EXTERIOR FINISHES. INSTALL PER MANUFACTURER'S SPECIFICATIONS.

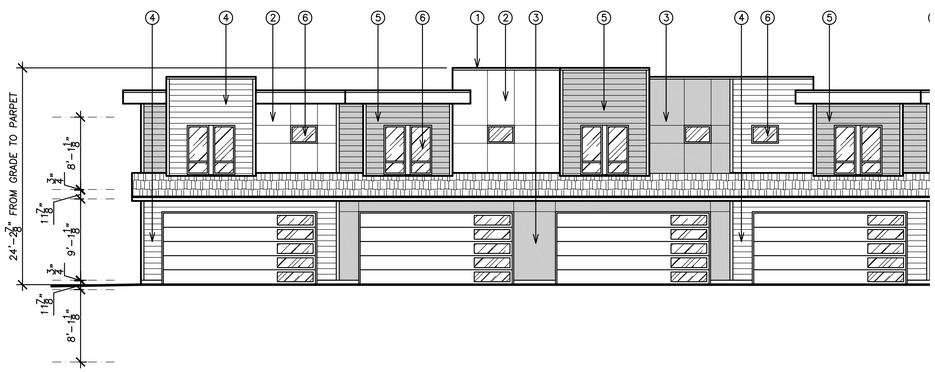
A A-201.1 FRONT ELEVATION
SCALE: 1/8" = 1'-0"



C A-201.1 RIGHT ELEVATION
SCALE: 1/8" = 1'-0"



B A-201.1 LEFT ELEVATION
SCALE: 1/8" = 1'-0"



D A-201.1 REAR ELEVATION
SCALE: 1/8" = 1'-0"

Tuttle and Associates, inc.
ARCHITECTS
475 300w SUITE 130
Salt Lake City, UT 84104
ph.(801)485-6464

FUJI TOWNHOMES
Murray, UT

EXTERIOR ELEVATIONS
SOUTH BUILDING

DATE: Nov. 8, 2022
REVISED:
DRAWN BY: -
DRAWING NO: A-201.1

LEGEND

1. PRE-FINISHED, SLOPED EDGE CAP FLASHING W/ DRIP EDGE.
2. STUCCO SYSTEM (1 COAT), OVER WIRE LATH, OVER (1) LAYER GRADE 'D' FELT APPLIED SHINGLE STYLE, OVER MASTERSEAL AWB 665 FLUID APPLIED AIR BARRIER SYSTEM (INSTALL PER MANUFACTURER'S SPECIFICATIONS), OVER SHEATHING PER STRUCTURAL. STUCCO SYSTEM TO BE APPROVED MANUFACTURER PER ES REPORT #382, OR CITY/ARCHITECT APPROVED EQUAL. PREPARE SUBSTRATE & INSTALL PER MANUFACTURER'S INSTRUCTIONS, DETAILS, AND RECOMMENDATIONS INCLUDING CONTROL JOINTS SPACING.
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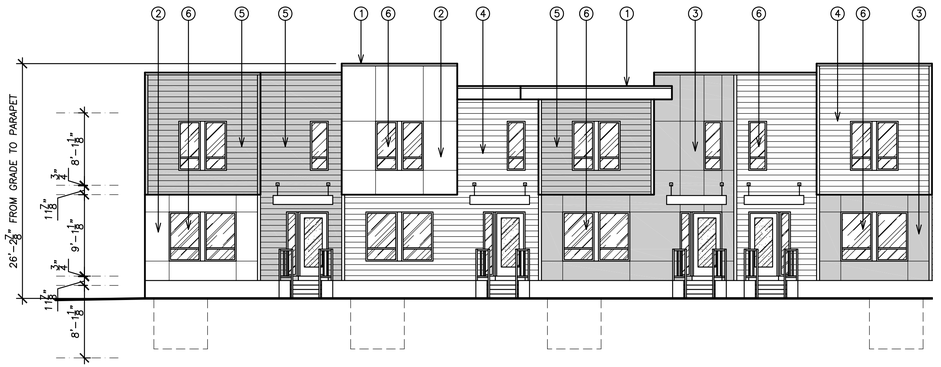
NOTE:MASTERSEAL AWB 665 FLUID APPLIED AIR BARRIER SYSTEM TO BE INSTALLED BEHIND ALL EXTERIOR FINISHES. INSTALL PER MANUFACTURER'S SPECIFICATIONS.



A A-201.2 FRONT ELEVATION
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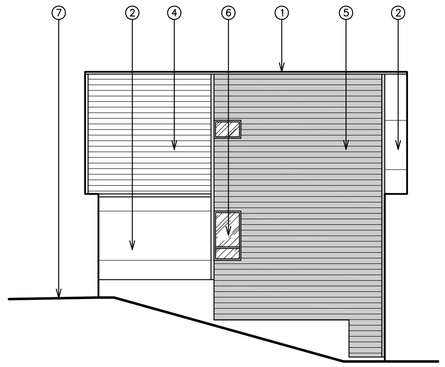

C A-201.2 RIGHT ELEVATION
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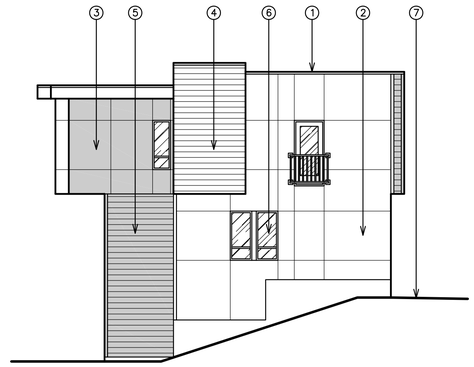

B A-201.2 LEFT ELEVATION
SCALE: 1/8" = 1'-0"

D A-201.2 REAR ELEVATION
SCALE: 1/8" = 1'-0"

Tuttle and Associates, inc.
ARCHITECTS
475 300w Suite 130
Salt Lake City, UT 84101
ph.(801)485-6464

FUJI TOWNHOMES
Murray, UT

EXTERIOR ELEVATIONS
NORTH BUILDING

DATE: Nov. 8, 2022
REVISED:
DRAWN BY: -
DRAWING NO: A-201.2

LEGEND

1. PRE-FINISHED, SLOPED EDGE CAP FLASHING W/ DRIP EDGE.
2. STUCCO SYSTEM (1 COAT), OVER WIRE LATH, OVER (1) LAYER GRADE 'D' FELT APPLIED SHINGLE STYLE, OVER MASTERSEAL AWB 665 FLUID APPLIED AIR BARRIER SYSTEM (INSTALL PER MANUFACTURER'S SPECIFICATIONS), OVER SHEATHING PER STRUCTURAL. STUCCO SYSTEM TO BE APPROVED MANUFACTURER PER ES REPORT #382, OR CITY/ARCHITECT APPROVED EQUAL. PREPARE SUBSTRATE & INSTALL PER MANUFACTURER'S INSTRUCTIONS, DETAILS, AND RECOMMENDATIONS INCLUDING CONTROL JOINTS SPACING.
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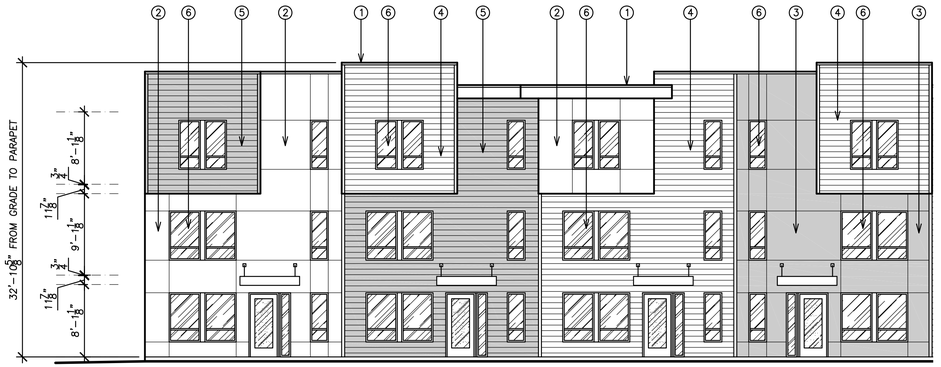
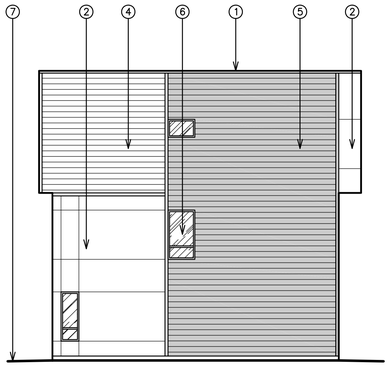
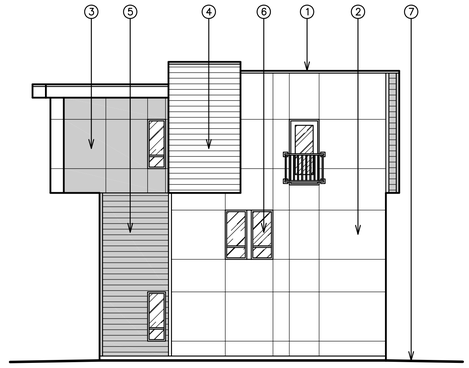
NOTE:MASTERSEAL AWB 665 FLUID APPLIED AIR BARRIER SYSTEM TO BE INSTALLED BEHIND ALL EXTERIOR FINISHES. INSTALL PER MANUFACTURER'S SPECIFICATIONS.



A A-201.3 FRONT ELEVATION
SCALE: 1/8" = 1'-0"



C A-201.3 RIGHT ELEVATION
SCALE: 1/8" = 1'-0"



B A-201.3 LEFT ELEVATION
SCALE: 1/8" = 1'-0"

D A-201.3 REAR ELEVATION
SCALE: 1/8" = 1'-0"

Tuttle and Associates, inc.
ARCHITECTS
475 300w Suite 130
Salt Lake City, UT 84101
ph.(801)485-6464

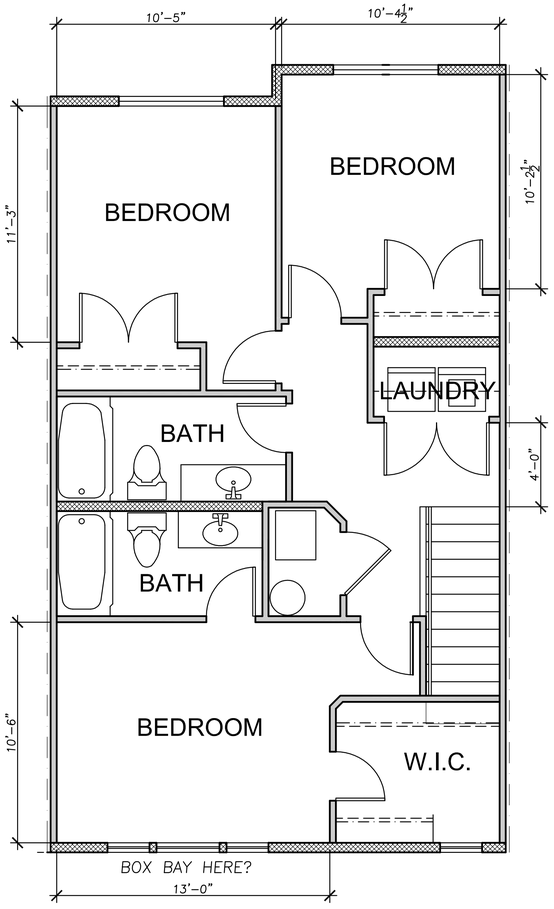
FUJI TOWNHOMES
Murray, UT

EXTERIOR ELEVATIONS
SOUTHEAST BUILDING

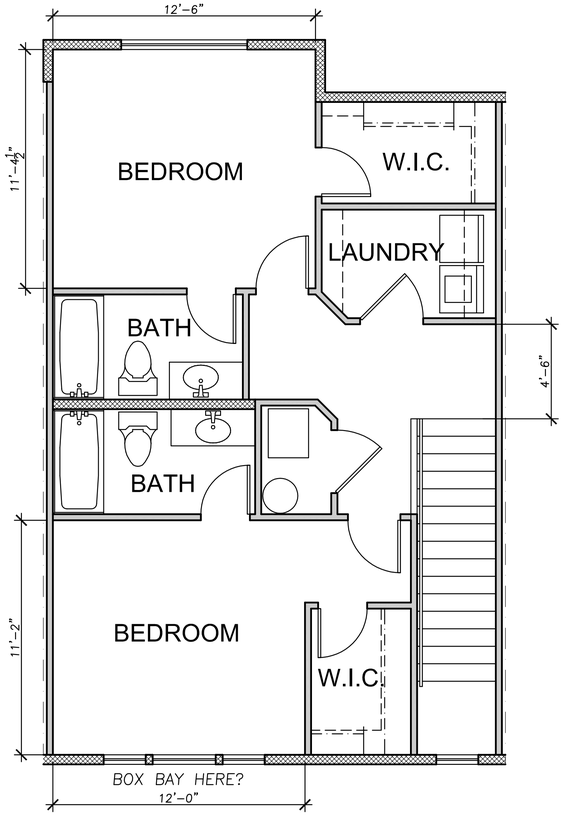
DATE
Dec. 22, 2022
REVISED

DRAWN BY
-

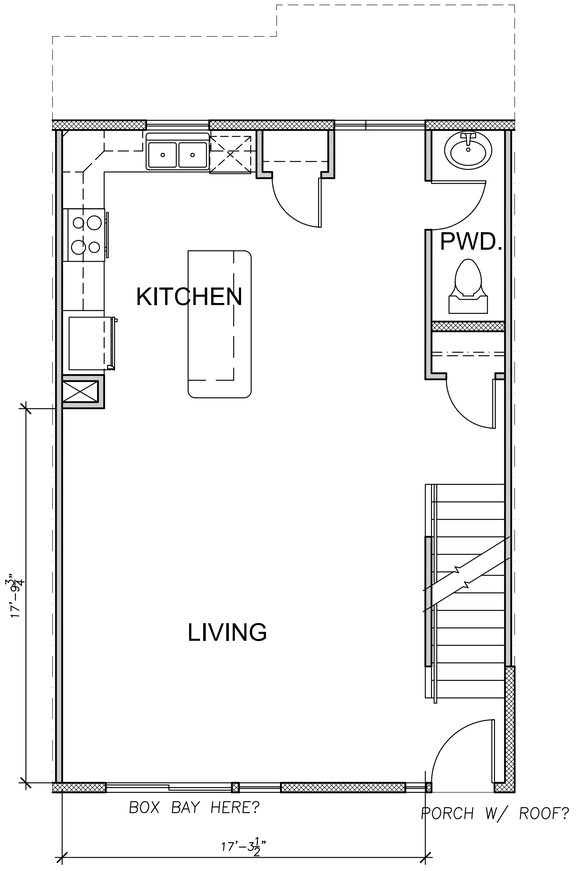
DRAWING NO.
A-201.3



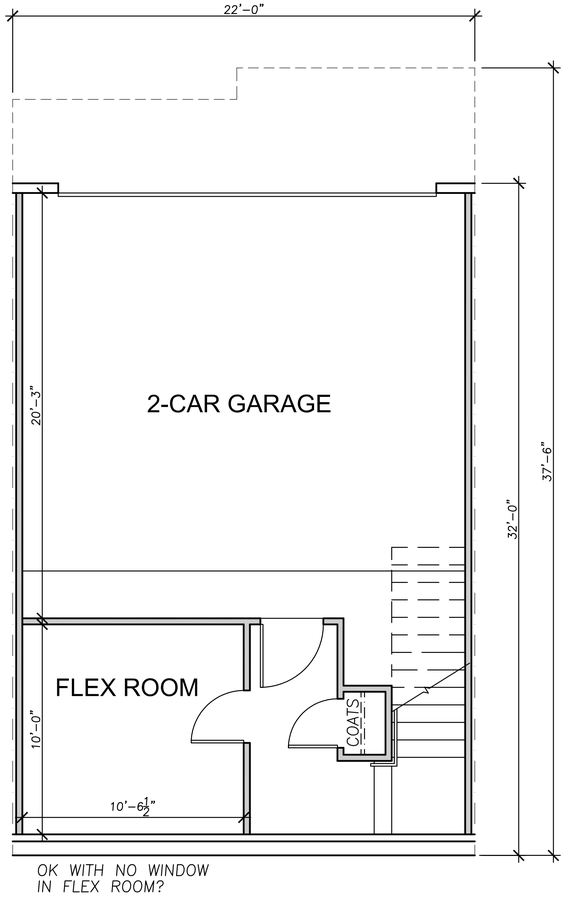
3 BEDROOM OPTION



2 BEDROOM OPTION



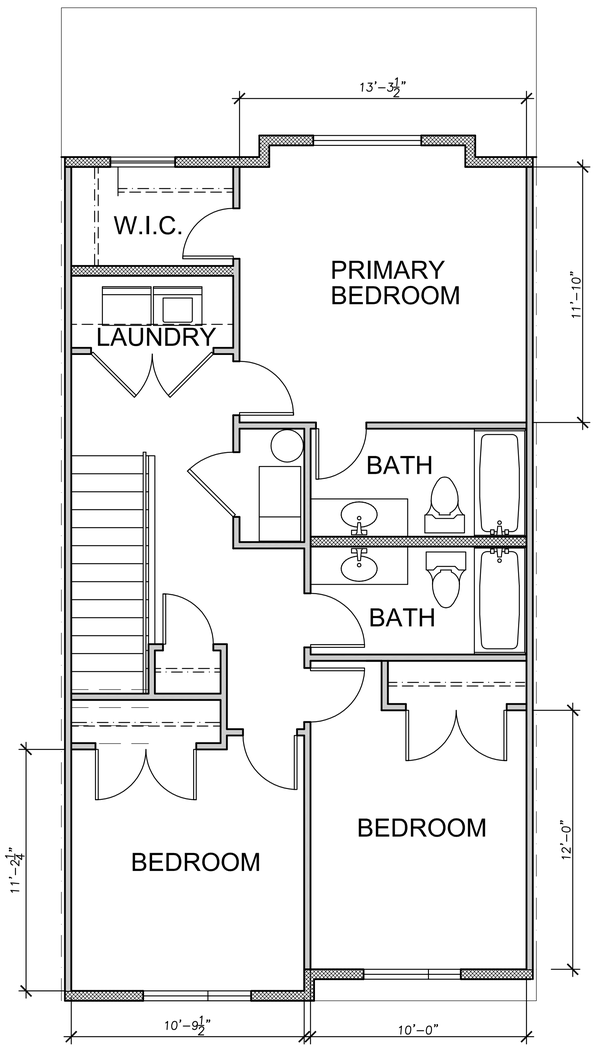
GARAGE & LIVING LEVEL

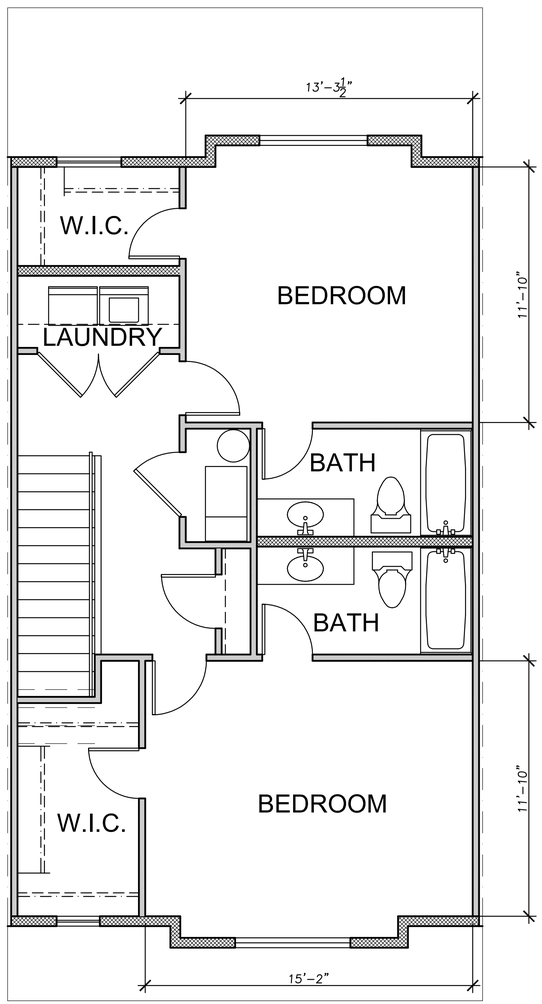


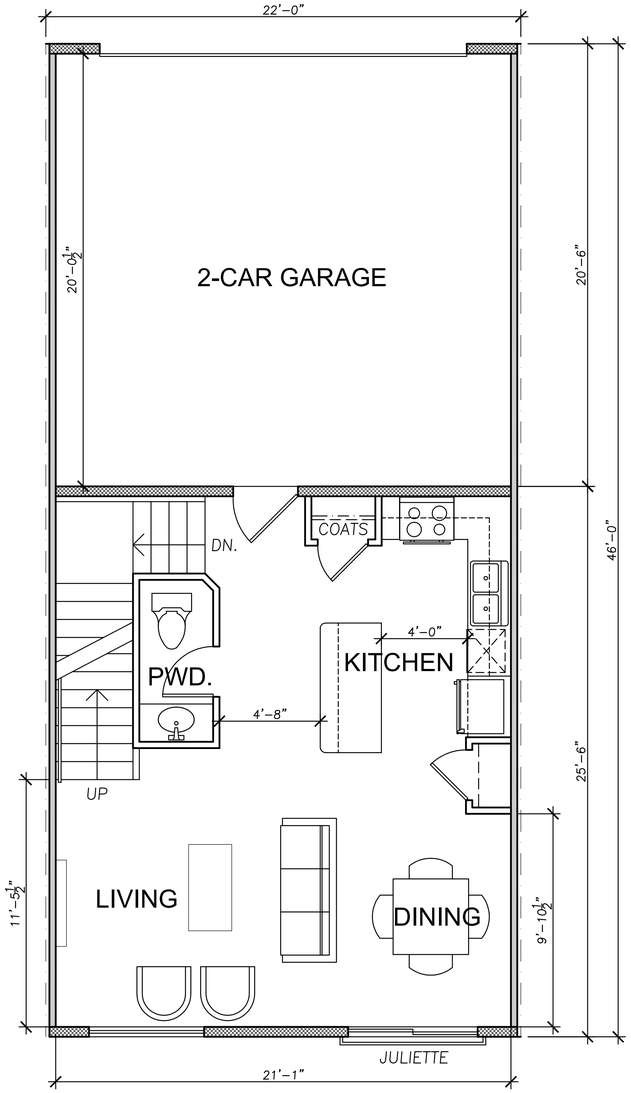
WALK-OUT BASEMENT LEVEL

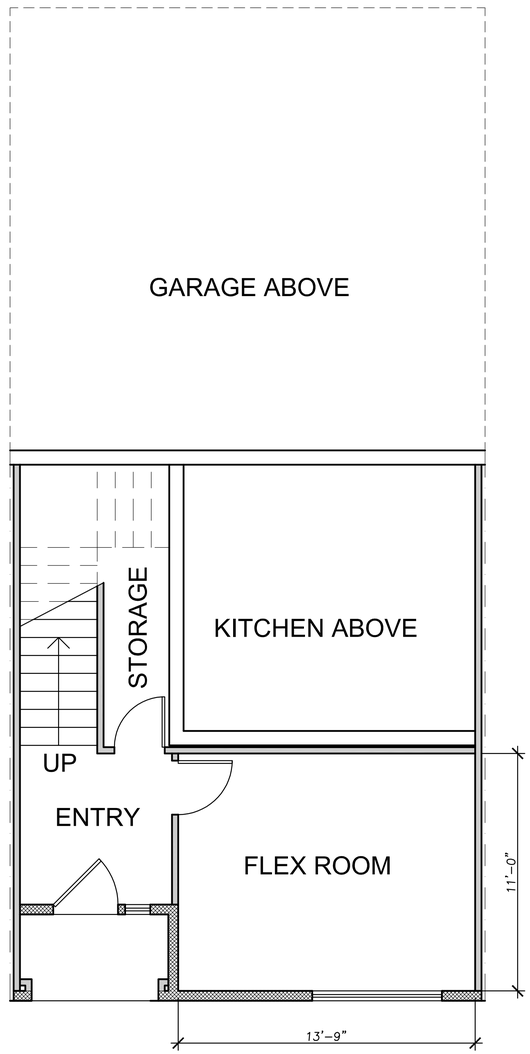
2-BEDROOM NORTH UNIT AREA TABULATIONS	
2–STORY W/BASEMENT	UNIT AREA
GARAGE LEVEL	214 SQ. FT. (476 s.f. garage)
LIVING & KITCHEN LEVEL	704 SQ. FT.
BEDROOM LEVEL	809 SQ. FT.
TOTAL	1,727 SQ. FT.

2-BEDROOM NORTH UNIT AREA TABULATIONS	
2–STORY W/BASEMENT	UNIT AREA
GARAGE LEVEL	214 SQ. FT. (476 s.f. garage)
LIVING & KITCHEN LEVEL	704 SQ. FT.
BEDROOM LEVEL	736 SQ. FT.
TOTAL	1,654 SQ. FT.









3 BEDROOM OPTION

2 BEDROOM OPTION

GARAGE & LIVING LEVEL

WALK-OUT BASEMENT LEVEL

3-BEDROOM SOUTH UNIT AREA TABULATIONS	
2–STORY W/BASEMENT	UNIT AREA
BASEMENT	321 SQ. FT.
GARAGE & LIVING LEVEL	561 SQ. FT. (451 s.f. garage)
BEDROOM LEVEL	860 SQ. FT.
TOTAL	1,742 SQ. FT.

2-BEDROOM SOUTH UNIT AREA TABULATIONS	
2–STORY W/BASEMENT	UNIT AREA
BASEMENT	321 SQ. FT.
GARAGE & LIVING LEVEL	561 SQ. FT. (451 s.f. garage)
BEDROOM LEVEL	805 SQ. FT.
TOTAL	1,687 SQ. FT.

WHEN RECORDED, MAIL TO:
_____
_____
_____
_____

RECIPROCAL EASEMENT AGREEMENT

THIS RECIPROCAL EASEMENT AGREEMENT (this "Agreement") is entered into this ____ day of _____, 20___ (the "Effective Date"), by and between APPLEGATE HOMEOWNERS ASSOCIATION, a Utah nonprofit corporation ("Association"), and _____, _____ ("Owner"). Association and Owner are sometimes referred to herein collectively as the "Parties" or individually as a "Party."

R E C I T A L S

A. Association manages and maintains certain real property owned by its members located in Murray, Salt Lake County, Utah (the "Association Property"), more particularly described on Exhibit A, attached hereto and incorporated herein by this reference.

B. Owner owns certain real property located adjacent to the Association Property in Murray, Salt Lake County, Utah (the "Owner Property"), more particularly described on Exhibit B, attached hereto and incorporated herein by this reference.

C. The Parties desire to grant one another certain non-exclusive easements on, over, across, under and through portions of their respective property for the purposes set forth in this Agreement.

T E R M S A N D C O N D I T I O N S

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and based upon the mutual promises and covenants set forth herein, the Parties agree as follows:

1. Grant of Easements.

1.1. Reciprocal Access Easement. Each Party, as Grantor, hereby grants and conveys to the other Party, as Grantee, a perpetual, non-exclusive easement (binding upon and to run with the lands of each party) on, over, and across roadways, sidewalks, and walkways (the "Access Improvements") located on the Association Property and the Owner Property, respectively, for the purpose of vehicular and pedestrian ingress and egress to and from the Association Property, the Owner Property, and a public right-of-way known as Murray Blvd.

1.2. Reciprocal Utility Easement. Each Party, as Grantor, hereby grants and conveys to the other Party, as Grantee, a perpetual, non-exclusive easement (binding upon and to run with the lands of each party) under and through those portions of the Association Property and the Owner Property, respectively, except where buildings and other major improvements are constructed or located or planned to be located, for the purposes of constructing, operating, maintaining, repairing, and replacing underground utilities and associated underground improvements (the "Utility Improvements").

1.3. Applegate Association Clubhouse and Pool Easement. Association hereby grants and conveys to Owner a perpetual, a non-exclusive easement (binding upon and to run with the lands of each party) on, over and across the Association Property for the purposes of: (i) vehicular and pedestrian ingress and egress to the Association's clubhouse and pool located on the Association Property (the "Clubhouse and Pool"), and (ii) use of the Clubhouse and Pool by individuals that own or occupy any portion of the Owner Property.

1.4. Fuji Association Amenity Easement. Owner hereby grants and conveys to the Association a perpetual, a non-exclusive easement (binding upon and to run with the lands of each party) on, over and across the Owner Property for the purposes of: (i) vehicular and pedestrian ingress and egress to the Owner's sports courts, tot lot/playground, and barbecue area amenities located on the Owner Property (the "Recreational Amenities"), and (ii) use of the Recreational Amenities by individuals that own or occupy any portion of the Association Property.

2. Construction of the Improvements. Each Party hereby agrees to construct and install the Utility Improvements for their benefit at their sole cost and expense. Each Party may, at their sole cost and expense, reconstruct, move or alter the Access Improvements located on their respective property so long as the reconstructed, moved or altered Access Improvements provide the other Party comparable access as set forth above in Section 1.1.

3. Reservation. The Parties hereby reserve the right to use any portion of their respective property for any use not inconsistent with the other Party's permitted use set forth above in Section 1.

4. Condition of Easement Area. The Parties accept the use of those areas set forth above in Section 1 (the "Easement Area") and all aspects thereof in "as is", "where is" condition, without warranties, either express or implied, "with all faults", including but not limited to both latent and patent defects, and the existence of hazardous materials, if any. The Parties hereby waive all warranties, express or implied, regarding the title, condition and use of the Easement Area.

5. Use of Easement Area. Except to the extent necessary (on a temporary basis) for reasonable construction, repair and maintenance, traffic regulation and control or to prevent a public dedication or the accrual of any rights to the public, no fence, gate, wall, barricade or other obstruction, whether temporary or permanent in nature, which limits or impairs the free and unimpeded use of the easements granted herein shall be constructed or erected, nor shall any Party obstruct or interfere with the use of such easements in any other manner. The Easement Area may be used solely for the limited purposes set forth herein by the Parties and their guests, invitees,

members, employees, agents, servants, tenants, and contractors for access by pedestrians, bicycles (and other forms of self-propelled motion), and motor vehicles to and from the Parties' properties.

6. **Maintenance**. Association hereby agrees, at Association's sole cost and expense, to maintain, inspect and repair the portion of the Easement Area located on the Association Property and the Utility Improvements that benefit Association located on the Owner Property in good order and condition. Owner hereby agrees, at Owner' sole cost and expense, to maintain, inspect and repair the portion of the Easement Area located on the Owner Property and the Utility Improvements that benefit Owner located on the Association Property in good order and condition. Notwithstanding the foregoing, if either Party fails to meet its maintenance obligations set forth in this Section 6, the other Party may perform the necessary maintenance and repairs to the Easement Area and Utility Improvements. The non-performing Party shall reimburse the other Party for all costs and expenses incurred in maintaining and repairing the Easement Area and Utility Improvements within sixty (60) days of receiving written notice thereof. In addition, Owner shall pay to Association a monthly fee for its proportionate share of the actual costs and expenses that Association incurs to maintain and repair the Clubhouse and Pool, which amount shall be calculated as a fraction, the numerator of which is the number of residential units located on the Owner Property (beginning at the time Owner receives a certificate of occupancy for each residential unit) and the denominator of which is the total number of residential units located on the Owner Property and the Association Property.

7. **Liens**. Each Party performing, or causing to be performed, any work with respect to the Easement Area (the "Performing Party") shall keep the Easement Area and the other Party's property free from any liens arising out of any work performed, materials furnished, or obligations incurred by or for the Performing Party.

8. **Compliance with Laws**. The Parties will comply with all present or future laws, statutes, codes, acts, ordinances, rules, regulations, orders, judgments, decrees, injunctions, rules, regulations, permits, licenses, authorizations, directions and requirements of and agreements with all governments, departments, commissions, boards, courts, authorities, agencies, officials and officers, foreseen or unforeseen, ordinary or extraordinary, including, without limitation, any building, zoning and land use laws.

9. **Indemnification**. The Parties and their successors and assigns hereby agree to indemnify, defend and hold each other harmless from and against any and all liens, encumbrances, costs, demands, claims, judgments, and/or damage caused by or arising out of: (i) the acts and omissions of such Party and their agents, servants, employees, and/or contractors; (ii) the use of the Easement Area, Access Improvements, and the Utility Improvements by such Party, their agents, servants, employees, or contractors; and (iii) any work performed on the Easement Area, Access Improvements, and the Utility Improvements by such Party or their successors or assigns, and their agents, servants, employees, consultants and/or contractors. The terms and conditions of this provision shall remain effective, notwithstanding the expiration or termination of this Agreement.

10. **Insurance.** Each of the Parties shall obtain and maintain a policy of general commercial liability insurance sufficient to insure their respective interests against claims for

personal injury, bodily injury, death, and property damage occurring on, in or about the Easement Area. Each Party shall name the other Party as an additional insured under their respective general commercial liability insurance. Each Party is responsible for advising the other Party of any change in ownership of their respective properties affected by the Easement Area so that the proper owner can be included as an additional insured under the respective general commercial liability insurance.

11. **Notices**. Any notice required or desired to be given under this Agreement will be considered given: (i) when delivered in person to the recipient named below, (ii) when delivered by a reputable overnight delivery service, or (iii) three (3) days after deposit in the United States mail in a sealed envelope or container, either registered or certified mail, return receipt requested, postage prepaid, addressed by name to the person and party intended. All notices shall be given at the following addresses:

If to Association: _____
_____
_____
_____

If to Owner: _____
_____
_____
_____

Either party may designate a different individual or address for notices, by giving written notice thereof in the manner described above.

12. **No Public Use/Dedication**. The Easement Area is and shall at all times remain the private property of Association and Owner, respectively. The public shall not acquire nor be entitled to claim or assert any rights to the Easement Area.

13. **Rights and Obligations Binding Upon Successors and Assigns.** Each and every obligation and right hereunder runs with the respective lands of Association and of Owner and such obligations and rights herein are binding upon and run to the benefit of the respective successors and assigns of Association and of Owner.

14. **Miscellaneous**. This Agreement constitutes the entire agreement between the Parties hereto pertaining to the subject matter hereof and all prior and contemporaneous agreements, representations and understandings of the Parties hereto, oral or written, are hereby superseded and merged herein. No supplement, modification or amendment of this Agreement shall be binding unless in writing and executed by the Parties hereto. This Agreement shall be construed in accordance with and governed by the laws of the State of Utah. No waiver of any of the provisions of this Agreement shall be deemed or shall constitute a waiver of any other provisions, whether or not similar, nor shall any waiver be a continuing waiver. No waiver shall be binding unless executed in writing by the Party making the waiver. The headings of this Agreement are for purposes of reference only and shall not limit or define the meaning of the

provisions hereof. The Recitals set forth above are incorporated into this Agreement by reference. If any provision of this Agreement or the application thereof to any person, place, or circumstance, shall be held by a court of competent jurisdiction to be invalid, unenforceable, or void, the remainder of this Agreement and such provisions as applied to other persons, places, and circumstances shall remain in full force and effect. This Agreement is the result of negotiations among the Parties, none of whom has acted under any duress or compulsion, whether legal, economic or otherwise. Accordingly, the terms and provisions hereof shall be construed in accordance with their usual and customary meanings. Each Party hereby waives the application of any rule of law which otherwise would be applicable in connection with the construction of this Agreement that ambiguous or conflicting terms or provisions should be construed against the Party who (or whose attorney) prepared the executed this Agreement or any earlier draft of the same. As used herein, all words in any gender shall be deemed to include the masculine, feminine, or neuter gender, all singular words shall include the plural, and all plural words shall include the singular, as the context may require. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute but one and the same instrument.

[SIGNATURES AND ACKNOWLEDGEMENTS TO FOLLOW]

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the Effective Date.

ASSOCIATION:

_____,
_____

[EXHIBIT - NOT FOR EXECUTION]
By: _____
Name (Print): _____
Its: _____

OWNER:

_____,
_____

[EXHIBIT - NOT FOR EXECUTION]
By: _____
Name (Print): _____
Its: _____

[ADD ACKNOWLEDGEMENTS]

[INSERT APPLICABLE LEGAL DESCRIPTION OF ASSOCIATION PROPERTY AS EXHIBIT A AND LEGAL DESCRIPTION OF OWNER PROPERTY AS EXHIBIT B]

After Recording Return To:
P.O. Box 71565
Salt Lake City, UT 84171

AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND BY-LAWS FOR APPLEGATE CONDOMINIUMS, PHASE ONE

This Amendment to the Declaration of Covenants, Conditions, Restrictions and By-Laws for Applegate Condominiums, Phase One ("Declaration"), is executed on the date set forth below by The Applegate Homeowners Association, a Utah nonprofit corporation ("Association").

RECITALS

A. Real property in Salt Lake County, Utah known as Applegate Condominiums, Phase One (the "Project"), was subjected to covenants, conditions and restrictions pursuant to the Declaration, which was recorded in the office of the County Recorder of Salt Lake County, State of Utah on or about July 3, 1973 as Entry No. 2551664, In Book 3364, at Page 196 of the official records – recorded simultaneously with the Declaration was appendix "C" to said Declaration, consisting of the By-Laws of Applegate Condominiums, Phase One (the "Original By-Laws");

B. The Declaration was amended by a written instrument entitled Amendment to Declaration of Covenants, Conditions, Restrictions and By-laws for Applegate Condominiums on August 2, 1973 as Entry No. 2558801 in Book 3386 at Page 21 of the official records of the County Recorder of Salt Lake County, Utah;

C. On or about January 6, 2004, a document entitled "By-Laws of Applegate Home Owners Association, Inc., A Utah not-for-profit corporation" (the "2004 By-Laws") was recorded on the official records of the County Recorder of Salt Lake County, Utah as Entry No. 8941472, Book 8931, Pages 1600-1613;

D. The Declaration was again amended by a written instrument entitled Amendment to Declaration of Covenants, Conditions and Restrictions for Applegate Condominiums on April 9, 2004 as Entry 9029411 in Book 8971 at Pages 578-586 of the official records of the County Recorder of Salt Lake County, Utah;

E. Unless otherwise expressly stated herein, all capitalized terms in this amendment shall have the same meaning as given to them in the Declaration;

F. This amendment shall be binding against the property described in EXHIBIT A and the Declaration and any annexation or supplement thereto;

G. The first purpose of this Amendment is to exclude and remove a portion of the real property described in EXHIBIT A from the provisions of the Declaration, any amendments to the Declaration, as well as from the provisions of both the Original By-Laws and 2004 By-

Laws - the real property to be excluded and removed as described above is more particularly described on EXHIBIT B to this Amendment (hereinafter, the "Excess Common Area");

H. The second purpose of this Amendment is to grant the management committee (as such term is defined in Article I, Section 2(N) of the Declaration) the power to execute, on behalf of the Association, a purchase and sale agreement to sell the Excess Common Area and to execute any other documentation reasonably necessary or convenient to such sale and the development of the Excess Common Area, such documents including but not being limited to amendments to the Declaration, amendments to any and all applicable plats, and easements;

I. The President and Secretary certify that condominium unit owners representing two-thirds of the undivided interests in the common area and facilities affirmatively approved this Amendment, as required by Article 25 of the Declaration;

NOW, THEREFORE, the Association, by and through the management committee, hereby amends the Declaration as follows:

The Declaration shall be amended to add the following new Articles, which shall read as follows:

33. **Power of Management Committee to Sell Excess Common Area.**

Anything herein to the contrary notwithstanding, the management committee shall have the power to sub-divide common areas, execute purchase and sales contracts, execute deeds, and amend or cause to be amended the Map (or any amendments thereto) as may be necessary or convenient to a sale of the real property described in Appendix E (the "Excess Common Area"). The management committee shall also have the power to record or cause to be recorded such documents. The management committee shall further have the power to grant, execute, and record or cause to be recorded such easements as may be necessary or convenient to the sale of said Excess Common Area, including but not limited to easements encumbering the Excess Common Area benefitting, in whole or in part, the Association or its members. The powers described in this Article shall only apply to a sale of the Excess Common Area, and not in relation to any other sale or portion of the common areas or facilities.

34. **Removal of Excess Common Area from Declaration**

Anything herein to the contrary notwithstanding, upon the management committee's execution and recordation of a deed conveying the Excess Common Area, such Excess Common Area shall be excluded and unencumbered from this Declaration.

Appendix D is hereby added to the Declaration, and shall consist of Exhibit B to this Amendment.

[Signatures and Acknowledgement to Follow]

IN WITNESS WHEREOF, the Association, by and through its President and Secretary, has executed this Amendment to the Declaration as of the ___ day of _____, 2020.

THE APPLEGATE HOMEOWNERS ASSOCIATION,
A UTAH NONPROFIT CORPORATION

By: _____
Name: _____
Its: President

By: _____
Name: _____
Its: Secretary

STATE OF UTAH)
:ss
County of Salt Lake)

On the __ day of _____, 2020, personally appeared _____ _____and _____who, being first duly sworn, did that say that they are the President and Secretary of the Association and that said instrument was signed and sealed in behalf of said Association by authority of its management committee; and each of them acknowledged said instrument to be their voluntary act and deed.

_____
Notary Public for Utah

EXHIBIT A

LEGAL DESCRIPTION

The land described in the foregoing document is located in Salt Lake County, Utah and is described more particularly as follows:

Lot No.	Parcel No.
AREA	21-11-478-001-0000
100	21-11-478-002-0000
101	21-11-478-003-0000
102	21-11-478-004-0000
103	21-11-478-005-0000
104	21-11-478-006-0000
105	21-11-478-007-0000
106	21-11-478-008-0000
107	21-11-478-009-0000
108	21-11-478-010-0000
109	21-11-478-011-0000
110	21-11-478-012-0000
111	21-11-478-013-0000
112	21-11-478-014-0000
113	21-11-478-015-0000
114	21-11-478-016-0000
115	21-11-478-017-0000
116	21-11-478-018-0000
117	21-11-478-019-0000
118	21-11-478-020-0000
119	21-11-478-021-0000
120	21-11-478-022-0000
121	21-11-478-023-0000
122	21-11-478-024-0000
123	21-11-478-025-0000
124	21-11-478-026-0000
125	21-11-478-027-0000
126	21-11-478-028-0000
127	21-11-478-029-0000
128	21-11-478-030-0000
129	21-11-478-031-0000
130	21-11-478-032-0000
131	21-11-478-033-0000
132	21-11-478-034-0000
133	21-11-478-035-0000
134	21-11-478-036-0000
135	21-11-478-037-0000
136	21-11-478-038-0000
137	21-11-478-039-0000
138	21-11-478-040-0000

Lot No.	Parcel No.
139	21-11-478-041-0000
140	21-11-478-042-0000
141	21-11-478-043-0000
142	21-11-478-044-0000
143	21-11-478-045-0000
144	21-11-478-046-0000
145	21-11-478-047-0000
146	21-11-478-048-0000
147	21-11-478-049-0000
148	21-11-478-050-0000
149	21-11-478-051-0000
150	21-11-478-052-0000
151	21-11-478-053-0000
152	21-11-478-054-0000
153	21-11-478-055-0000
154	21-11-478-056-0000
155	21-11-478-057-0000
156	21-11-478-058-0000
157	21-11-478-059-0000
158	21-11-478-060-0000
159	21-11-478-061-0000
160	21-11-478-062-0000
161	21-11-478-063-0000
162	21-11-478-064-0000
163	21-11-478-065-0000
164	21-11-478-066-0000
165	21-11-478-067-0000
166	21-11-478-068-0000
167	21-11-478-069-0000
168	21-11-478-070-0000
169	21-11-478-071-0000
170	21-11-478-072-0000
171	21-11-478-073-0000
172	21-11-478-074-0000
173	21-11-478-075-0000
174	21-11-478-076-0000
175	21-11-478-077-0000
176	21-11-478-078-0000
177	21-11-478-079-0000
178	21-11-478-080-0000

Lot No.	Parcel No.
179	21-11-478-081-0000
180	21-11-478-082-0000
181	21-11-478-083-0000
182	21-11-478-084-0000
183	21-11-478-085-0000
184	21-11-478-086-0000
185	21-11-478-087-0000
186	21-11-478-088-0000
187	21-11-478-089-0000
188	21-11-478-090-0000
189	21-11-478-091-0000
190	21-11-478-092-0000
191	21-11-478-093-0000
192	21-11-478-094-0000
193	21-11-478-095-0000
194	21-11-478-096-0000
195	21-11-478-097-0000
196	21-11-478-098-0000
197	21-11-478-099-0000
198	21-11-478-100-0000
199	21-11-478-101-0000
200	21-11-478-102-0000
201	21-11-478-103-0000
202	21-11-478-104-0000
203	21-11-478-105-0000
204	21-11-478-106-0000
205	21-11-478-107-0000
206	21-11-478-108-0000
207	21-11-478-109-0000
208	21-11-478-110-0000
209	21-11-478-111-0000
210	21-11-478-112-0000
211	21-11-478-113-0000
212	21-11-478-114-0000
213	21-11-478-115-0000
214	21-11-478-116-0000
215	21-11-478-117-0000
216	21-11-478-118-0000
217	21-11-478-119-0000
218	21-11-478-120-0000

Lot No.	Parcel No.
219	21-11-478-121-0000
220	21-11-478-122-0000
221	21-11-478-123-0000
222	21-11-478-124-0000
223	21-11-478-125-0000
224	21-11-478-126-0000
225	21-11-478-127-0000
226	21-11-478-128-0000
227	21-11-478-129-0000
228	21-11-478-130-0000
229	21-11-478-131-0000
230	21-11-478-132-0000
231	21-11-478-133-0000
232	21-11-478-134-0000
233	21-11-478-135-0000
234	21-11-478-136-0000
235	21-11-478-137-0000
236	21-11-478-138-0000
237	21-11-478-139-0000
238	21-11-478-140-0000
239	21-11-478-141-0000
240	21-11-478-142-0000
241	21-11-478-143-0000
242	21-11-478-144-0000
243	21-11-478-145-0000
244	21-11-478-146-0000
245	21-11-478-147-0000
246	21-11-478-148-0000
247	21-11-478-149-0000
248	21-11-478-150-0000
249	21-11-478-151-0000
250	21-11-478-152-0000
251	21-11-478-153-0000
252	21-11-478-154-0000
253	21-11-478-155-0000
254	21-11-478-156-0000
255	21-11-478-157-0000
256	21-11-478-158-0000
257	21-11-478-159-0000
258	21-11-478-160-0000
259	21-11-478-161-0000
260	21-11-478-162-0000
261	21-11-478-163-0000
262	21-11-478-164-0000
263	21-11-478-165-0000
264	21-11-478-166-0000
265	21-11-478-167-0000
266	21-11-478-168-0000
267	21-11-478-169-0000
268	21-11-478-170-0000
269	21-11-478-171-0000
270	21-11-478-172-0000
271	21-11-478-173-0000

EXHIBIT B

[Legal Description of the Excess Common Area]

Beginning at a point that is located on the bounds of Clover Crest #3 Subdivision and Applegate Condominiums, said point lies North 0°14'20" West, 2,640.32 feet (basis of bearing) to the Southeast Corner of Section 11, and North 0°02'02" West, 1,352.38 feet and West, 785.12 feet from the East Quarter Corner of Section 14 , Township 2 South, Range 1 West, Salt Lake Basin Meridian. and running Beginning at a point that is located, Thence South 06° 59' 49" West a distance of 203.15 feet, Thence North 90° 00' 00" West a distance of 112.00 feet, Thence South 00° 00' 00" West a distance of 102.00 feet, Thence South 46° 00' 00" East a distance of 73.00 feet, Thence North 90° 00' 00" East a distance of 74.00 feet, Thence South 59° 00' 00" East a distance of 37.06 feet to the beginning of a non-tangential curve, Said curve bears to the left through an angle of 42° 07' 50", having a radius of 130.78 feet with an arc distance of 96.16 feet, Thence South 14° 27' 43" East a distance of 162.46 feet, Thence South 25° 17' 51" West a distance of 65.02 feet to the North bounds of Majestic Village Plat E Subdivision, Thence North 65° 17' 37" West a distance of 46.72 feet, Thence North 65° 02' 02" West a distance of 67.60 feet to the beginning of a curve, Said curve bears to the right through an angle of 28° 24' 40", having a radius of 560.00 feet with an arc distance of 277.69 feet, non-tangential line. Thence South 59° 57' 58" West a distance of 0.83 feet to the North bounds of Majestic Village Plat F Subdivision said point also being the beginning of a non-tangential curve, Said curve bears to the right through an angle of 11° 26' 34", having a radius of 560.00 feet with an arc distance of 111.84 feet, Thence North 25° 02' 02" West a distance of 150.00 feet to the beginning of a curve, Said curve bears to the left through 40° 26' 33", having a radius of 130.00 feet with an arc distance of 91.76 feet, Said curve bears to the left through an angle of 47° 46' 32", having a radius of 230.00 feet with an arc distance of 191.78 feet, non-tangential line. Thence North 23° 06' 27" West a distance of 71.37 feet to the bounds of said Clover Crest #3 Subdivision , Thence North 66° 53' 33" East a distance of 314.94 feet, Thence North 50° 00' 00" East a distance of 41.58 feet, Thence South 36° 36' 10" East a distance of 72.41 feet to the beginning of a curve, Said curve bears to the left through an angle of 54° 52' 07", having a radius of 150.00 feet with an arc distance of 143.65 feet, Thence North 88° 31' 43" East a distance of 85.85 feet to the beginning of a curve, Said curve bears to the left through an angle of 34° 48' 15", having a radius of 100.00 feet with an arc distance of 60.74 feet, Thence North 53° 43' 28" East a distance of 76.01 feet to the point of beginning.

Containing 22,621 Square Feet or 5.11 Acres

FEHR PEERS

Applegate Expansion Traffic Impact Study

MEMORANDUM

Date: May 29, 2019

To: Quinn Millet, Millet Appraisal Services

From: Christopher Bender, EIT, Fehr & Peers
Seishi Yamagata, PE, Fehr & Peers

Subject: Applegate Expansion Traffic Impact Study

UT19-2157

EXECUTIVE SUMMARY

The purpose of this study is to determine the potential impacts to traffic conditions due to the proposed Applegate Expansion in Murray, Utah located northwest of 5300 W & Murray Boulevard on Applegate Drive. Under current conditions, the study intersections operate at acceptable delays and Levels of Service (LOS), with the exception of the westbound traffic at the Applegate Drive & Murray Boulevard intersection, which currently operates at LOS E and F in the AM and PM peak hours, respectively. This is caused by heavy through-movement volumes on Murray Boulevard which increase the delay for the side-street stop controlled left-turning vehicles. However, the intersection has "keep clear" striping to prevent the southbound queues at 5300 S & Murray Boulevard from blocking the intersection at Applegate Drive. During data collection, the southbound queue at 5300 S & Murray Boulevard was observed to occasionally extend back to Applegate drive, but when that would happen, the southbound drivers on Murray Boulevard allowed the side-street vehicles to turn onto Murray Boulevard with minimal delay. This is not captured in Synchro's analysis methodology, so the reported delay is likely overstated. Furthermore, the east and westbound queue lengths are contained on the minor street driveways.

With project-generated traffic from the proposed Applegate Expansion, all study intersections continue to operate with the same LOS as in existing conditions with minor increases in delay to the study intersections. Therefore, no mitigations are recommended for existing plus project conditions. A summary of the delay and LOS for each condition is shown in **Table ES-1**.

TABLE ES-1 LEVEL OF SERVICE RESULTS SUMMARY

	Intersection (Control)	Period	Existing 2019	Existing Plus Project
			LOS & Delay (Sec/Veh)	LOS & Delay (Sec/Veh)
1	Murray Boulevard & 5300 South (Signal)[1]	AM	31 / C	31 / C
		PM	28 / C	29 / C
2	Murray Boulevard & Applegate Drive (Side Street Stop)[2]	AM	36 / E	38 / E
		PM	70 / F	83 / F
3	College Drive & 5300 South (Signal)[1]	AM	13 / B	13 / B
		PM	29 / C	29 / C

1. Signalized intersections: overall intersection LOS and delay reported.
2. Unsignalized intersections: worst movement LOS and delay reported.

Source: Fehr & Peers, 2019

INTRODUCTION

The purpose of this study is to determine the potential impacts to traffic conditions due to the completion of the proposed Applegate Expansion to be located northwest of 5300 S & Murray Boulevard on Applegate Drive. The proposed expansion is composed of 48 total townhomes and will use the development's existing access on Applegate Drive & Murray Boulevard. **Figure 1** shows the project site plan. This memorandum will discuss:

- The existing conditions in the study area.
- Intersection conditions with additional traffic from the proposed Applegate Expansion.

STUDY AREA

This study analyzes the traffic operations at the following study intersections:

1. 5300 S & Murray Boulevard
2. Applegate Drive & Murray Boulevard
3. 5300 S & College Drive

DATA COLLECTION

Traffic counts at the study intersections were collected to establish a baseline of existing conditions and operations for the area. At the study intersections, AM peak period traffic counts were recorded from 7:00 AM to 9:00 AM and PM peak period traffic counts were recorded from 4:00 PM to 6:00 PM on Wednesday, May 15th, 2019. The AM and PM peak hours were 7:30-8:30 AM and 4:45-5:45 PM, respectively.

LEGEND

- PROPERTY BOUNDARY
- PROPOSED TOWNHOMES (22' x 44', 10 UNITS)
- PROPOSED DUPLEXES (26' X 34', 38 UNITS)
- PROPOSED ASPHALT ROADWAY
- PROPOSED CONCRETE
- PROPOSED GRASS
- PROPOSED TREES
- EXISTING TREES
- PROPOSED STREET LIGHTS
- EXISTING BUILDINGS

* TOTAL TOWNHOME UNITS = 48

SECTION A-A - APPLEGATE DRIVE

CALL BEFORE YOU DIG. IT'S FREE & IT'S THE LAW. BLUE STAKES OF UTAH 1-800-662-4111 208-2100

DRAWING TITLE

SITE PLAN

CLEINT

QUINN MILLET

COMPLETION STATUS

PRELIMINARY PLANS

PROJECT

APPLEGATE CONDOMINIUMS
MURRAY, UT

GENERAL

N

S

30 0 15 30 60

Scale (24" x 36") 1 in. = 30 FT.

REVISIONS:

REV #	DESCRIPTION	DATE

WEBER ENGINEERING COLLECTIVE

CIVIL• PLANNING• SURVEYING

SALT LAKE CITY, UTAH
PHONE (385) 229-9663

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STAMP

PROJECT NO. W-18-15

DATE 03/07/19

DRAWN BY: JACOB WEBER, P.E.

CKD BY:

SHEET NUMBER C-01

ANALYSIS METHODOLOGY

Level of Service (LOS) is a term that describes the operating performance of an intersection or roadway. LOS is measured quantitatively and reported on a scale from A to F, with A representing the best performance and F the worst. **Table 1** provides a brief description of each LOS letter designation and an accompanying average delay per vehicle for unsignalized intersections. The Highway Capacity Manual 6th Edition (HCM 6) methodology was used in this study to remain consistent with "state-of-the-practice" professional standards.

TABLE 1 LEVEL OF SERVICE DESCRIPTIONS

LOS	Description	Signalized Intersections	Unsignalized Intersections
		Avg. Delay (sec/veh)[1]	Avg. Delay (sec/veh)[2]
A	*Free Flow / Insignificant Delay* Extremely favorable progression. Individual users are virtually unaffected by others in the traffic stream.	< 10.0	< 10.0
B	*Stable Operations / Minimum Delays* Good progression. The presence of other users in the traffic stream becomes noticeable.	> 10.0 to 20.0	> 10.0 to 15.0
C	*Stable Operations / Acceptable Delays* Fair progression. The operation of individual users is affected by interactions with others in the traffic stream	> 20.0 to 35.0	> 15.0 to 25.0
D	*Approaching Unstable Flows / Tolerable Delays* Marginal progression. Operating conditions are noticeably more constrained.	> 35.0 to 55.0	> 25.0 to 35.0
E	*Unstable Operations / Significant Delays Can Occur* Poor progression. Operating conditions are at or near capacity.	> 55.0 to 80.0	> 35.0 to 50.0
F	*Forced, Unpredictable Flows / Excessive Delays* Unacceptable progression with forced or breakdown of operating conditions.	> 80.0	> 50.0

1. Overall intersection LOS and average delay (seconds/vehicle) for all approaches.
2. Worst approach LOS and delay (seconds/vehicle) only.

Source: Fehr & Peers descriptions, based on *Highway Capacity Manual 6th Edition*.

EXISTING CONDITIONS

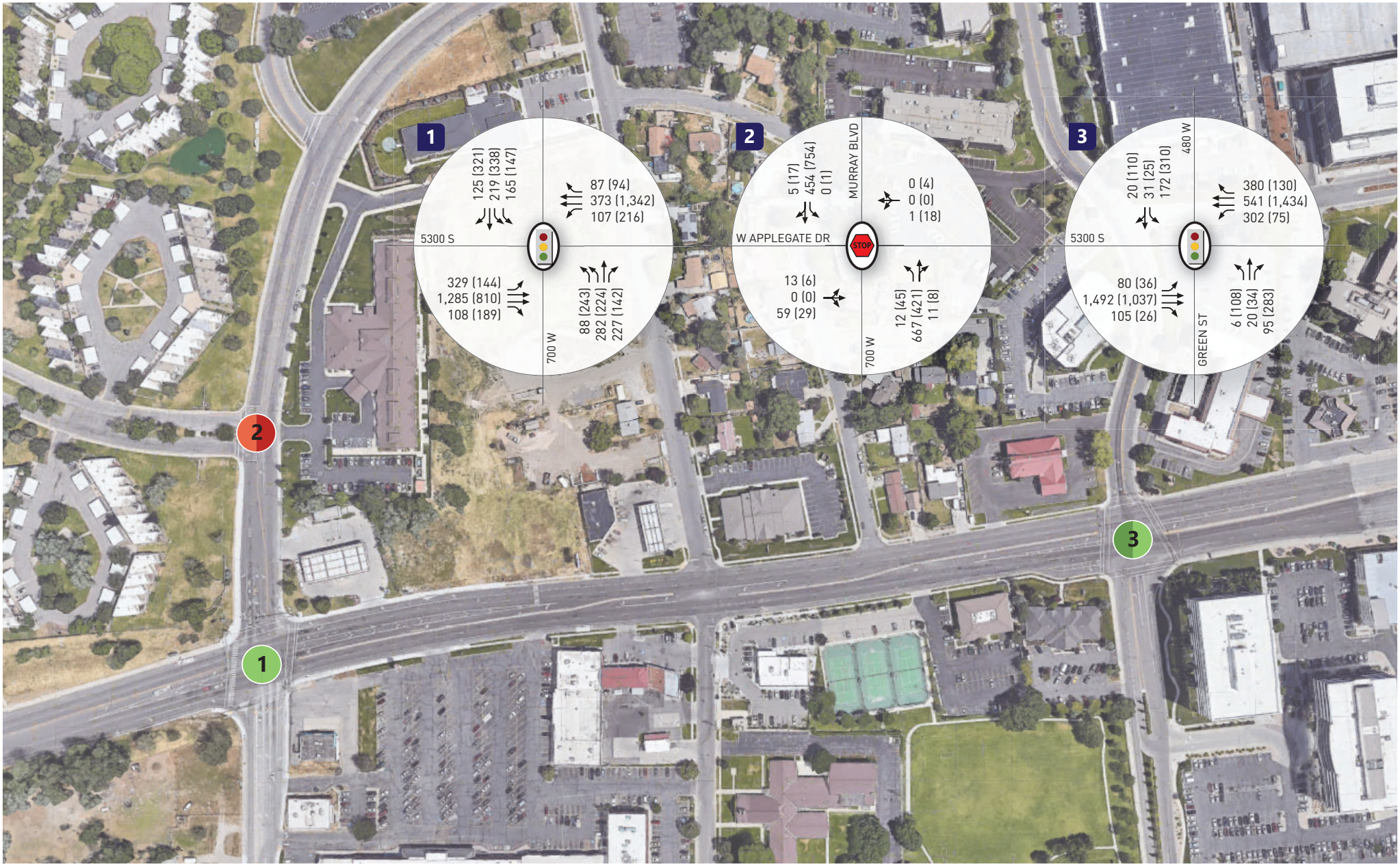
PURPOSE

The purpose of the existing (2019) conditions analysis is to study the intersections during the peak travel periods of the day under existing traffic and geometric conditions. Through this analysis, existing traffic operational deficiencies can be identified.

LEVEL OF SERVICE ANALYSIS

Existing AM and PM peak hour volumes as counted for this study are shown in **Figure 2**. Using Synchro software and the HCM 6 delay thresholds introduced above, the existing AM and PM peak hour LOS were computed for each study intersection (see **Appendix A** for detailed LOS reports). The results of this analysis are reported in **Table 2**.

As shown in **Table 2**, the study intersections at 5300 S & Murray Boulevard and at 5300 S and College Drive operate at acceptable delays and LOS (LOS D or better). The intersection at Applegate Drive & Murray Boulevard operates at LOS E and F in the AM and PM peak hours, respectively. This is caused by heavy through-movement volumes on Murray Boulevard which increase the delay for the side-street stop controlled left-turning vehicles. However, the intersection has "keep clear" striping to prevent the southbound queues at 5300 S & Murray Boulevard from blocking the intersection at Applegate Drive. During data collection, the southbound queue at 5300 S & Murray Boulevard was observed to occasionally extend back to Applegate drive, but when that would happen, the southbound drivers on Murray Boulevard allowed the side-street vehicles to turn onto Murray Boulevard with minimal delay. This is not captured in Synchro's analysis methodology, so the reported delay is likely overstated. Furthermore, the east and westbound queue lengths are contained on the minor street driveways.



Applegate Expansion Traffic Impact Study

LEGEND

Level of Service A B C D E F AM PM

AM (PM) Traffic Volumes XX (YY)

FEHR PEERS

Figure 2

Existing Conditions

TABLE 2 EXISTING CONDITIONS PEAK HOUR LEVEL OF SERVICE

Intersection				Worst Movement[1]			Overall Intersection	
ID	Location	Period	Control	Movement[3]	Delay (sec/veh)	LOS	Avg. Delay (sec/veh)[2]	LOS
1	Murray Boulevard & 5300 South (Signal)	AM	Signal	-	-	-	31	C
		PM		-	-	-	28	C
2	Murray Boulevard & Applegate Drive (Side Street Stop)	AM	EB/WB Stop	WB LT	36	E	< 5	A
		PM		WB LT	70	F	< 5	A
3	College Drive & 5300 South (Signal)	AM	Signal	-	-	-	13	B
		PM		-	-	-	29	C

1. This represents the worst movement LOS and delay (seconds/vehicle) and is only reported for unsignalized intersections.
2. This represents the overall intersection LOS and delay (seconds/vehicle).
3. NB=Northbound, SB=Southbound, EB=Eastbound, WB=Westbound, LT=Left-turn, RT=Right-turn, and TH=Through

Source: Fehr & Peers 2019.

PROJECT CONDITIONS

PURPOSE

The project conditions analysis explains the type and intensity of the proposed development in the study area. This analysis provides the basis for trip generation, distribution, and assignment of project trips to the surrounding study intersections defined in the Introduction.

PROPOSED DEVELOPMENT

The proposed Applegate Expansion will be located on Applegate Drive just northwest of the intersection at northwest of 5300 W & Murray Boulevard. The proposed expansion is composed of 48 total townhomes and will use the development's existing access on Applegate Drive & Murray Boulevard.

TRIP GENERATION

Trip generation for the project was computed using trip generation rates published in the Institute of Transportation Engineers (ITE) Trip Generation, 10th Edition, 2017. According to the ITE manual, the townhomes being built as part of this expansion classified as Multifamily Housing (Low-Rise), so the rates described for ITE Land use code 220 were used for trip generation. **Table 3** shows the AM and PM peak hour trip generation for the proposed Applegate Expansion.

TABLE 3 APPLEGATE EXPANSION TRIP GENERATION

Land Use[1]	Number of Units	Unit Type	AM Peak Hour Trip Generation[2]	% Entering[3]	% Exiting[3]	Trips Entering	Trips Exiting	**New AM Peak Hour Trips**
Multifamily Housing (220)	48	Dwelling Unit	24	23%	77%	5	19	**24**
Net Weekday AM Peak Hour Trips						**5**	**19**	**24**
Land Use[1]	Number of Units	Unit Type	PM Peak Hour Trip Generation[2]	% Entering[3]	% Exiting[3]	Trips Entering	Trips Exiting	**New PM Peak Hour Trips**
Multifamily Housing (220)	48	Dwelling Unit	31	63%	37%	19	12	**31**
Net Weekday PM Peak Hour Trips						**19**	**12**	**31**

1. (XXX) Indicates ITE Land Use Code. Land Use Code from the Institute of Transportation Engineers - 10th Edition Trip Generation Manual (ITE Manual)
2. Traffic Generated by the development according to trip generation rates provided in the ITE Manual
3. Percentage of trips Entering and Exiting the development according to the ITE Manual.

SOURCE: Fehr & Peers, 2019

TRIP DISTRIBUTION AND ASSIGNMENT

Project traffic was assigned to the roadway network based on the proximity to major streets and freeways, roadway network, high population densities, and regional trip attractions. Existing travel patterns observed during data collection also provided helpful guidance to establish these distribution percentages, especially in close proximity to the site.

The project-generated trips were distributed to and from these directions in the corresponding percentages:

- 20% North (using Murray Boulevard)
- 20% West (using 5300 South)
- 35% East (using 5300 South)
- 25% South (using Murray Boulevard)

These trip distribution assumptions were used to distribute project generated traffic to the study area intersections for existing plus project conditions, as shown in **Figure 3**.

Applegate Expansion Traffic Impact Study

LEGEND

AM (PM) Traffic Volumes XX (YY)

FEHR PEERS

Figure 3

Project Volumes

EXISTING PLUS PROJECT CONDITIONS

PURPOSE

The purpose of the existing plus project analysis is to evaluate the impact of the proposed development after completion on the study intersections and roadways. In order to analyze this impact, the existing weekday AM and PM peak hour traffic volumes were combined with volumes generated by the proposed project for the AM and PM peak hour. Intersection LOS analyses were then performed to show the impact of the proposed development.

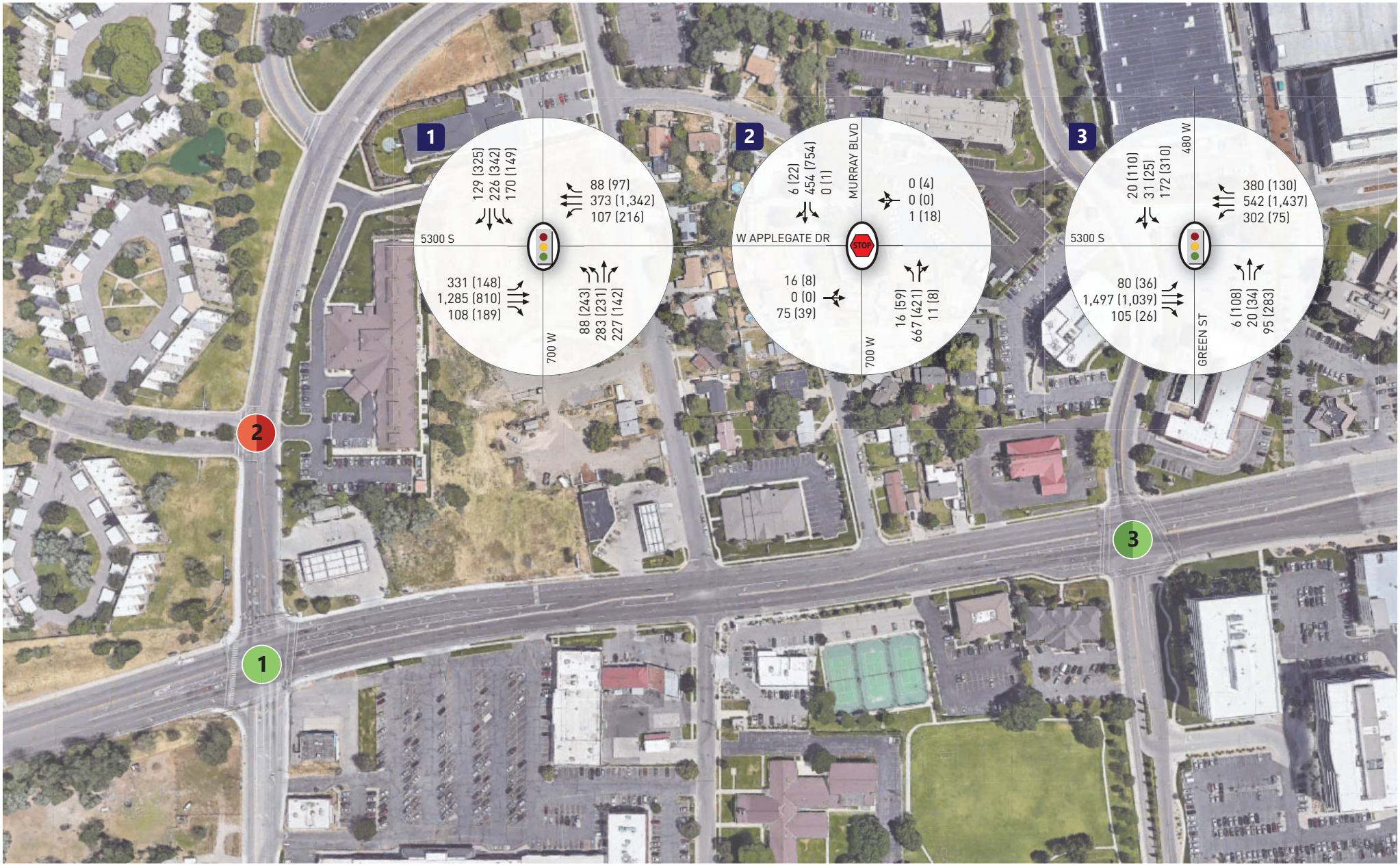
TRAFFIC VOLUMES

In order to evaluate the impacts of the proposed development, project-generated traffic (**Figure 3**) was added to the existing AM and PM peak hour volumes (**Figure 2)** to yield "existing plus project" weekday peak hour traffic volumes at the study intersections. The resulting traffic volumes are displayed in **Figure 4**.

LEVEL OF SERVICE ANALYSIS

Using Synchro software and the HCM 6 delay thresholds introduced above in **Table 1**, the existing plus project AM and PM peak hour LOS were computed for each study intersection (see Appendix A for detailed LOS reports). The results of this analysis are reported in **Table 4**.

As shown in **Table 4**, all intersections continue to operate at the same LOS as in the existing conditions, with minor additions to the delay at Murray Boulevard & 5300 S and at Murray Boulevard & Applegate Drive. Similar to the existing conditions analysis, the Synchro analysis reports Murray Boulevard & Applegate Drive operating at LOS E and F in the AM and PM peak hours, respectively. Applegate Drive's delay in this scenario is likely overstated for the same reason as the existing conditions analysis: southbound vehicles along Murray Boulevard were observed to keep clear from the intersection at Applegate Drive as required by the keep clear striping along southbound Murray Boulevard. Furthermore, the east and westbound queue lengths are contained on the minor street driveways. It should also be noted that Rome Beauty Park is proposed to add a connection to Glendon Street, which would allow vehicles to turn onto Murray Boulevard to alleviate delay experienced at Applegate Drive and avoid the southbound queue on Murray Boulevard. Therefore, no mitigations are recommended for existing plus project conditions.



Applegate Expansion Traffic Impact Study

LEGEND

Level of Service A B C D E F AM PM

AM (PM) Traffic Volumes XX (YY)

FEHR PEERS

Figure 4

Existing + Project Conditions

TABLE 4 EXISTING PLUS PROJECT CONDITIONS PEAK HOUR LEVEL OF SERVICE

Intersection				Worst Movement[1]			Overall Intersection	
ID	Location	Period	Control	Movement[3]	Delay (sec/veh)	LOS	Avg. Delay (sec/veh)[2]	LOS
1	Murray Boulevard & 5300 South (Signal)	AM	Signal	-	-	-	31	C
		PM		-	-	-	29	C
2	Murray Boulevard & Applegate Drive (Side Street Stop)	AM	EB/WB Stop	WB LT	37	E	< 5	A
		PM		WB LT	83	F	< 5	A
3	College Drive & 5300 South (Signal)	AM	Signal	-	-	-	13	B
		PM		-	-	-	29	C

1. This represents the worst movement LOS and delay (seconds/vehicle) and is only reported for unsignalized intersections.
2. This represents the overall intersection LOS and delay (seconds/vehicle).
3. NB=Northbound, SB=Southbound, EB=Eastbound, WB=Westbound, LT=Left-turn, RT=Right-turn, and TH=Through

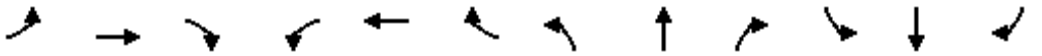
Source: Fehr & Peers 2019.

CONCLUSION

The analysis has shown that traffic generated by the proposed Applegate Expansion will have minimal impacts to the existing conditions in the study area. No mitigations are recommended at this study area.

Quinn Millett
May 2019

APPENDIX A
SYNCHRO REPORTS



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	329	1285	108	107	373	87	88	282	227	165	219	125
Future Volume (veh/h)	329	1285	108	107	373	87	88	282	227	165	219	125
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		0.97	1.00		0.97	1.00		0.99	1.00		0.98
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	358	1397	50	116	405	34	96	307	100	179	238	24
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	662	1761	759	216	1504	652	307	352	295	235	313	260
Arrive On Green	0.13	0.50	0.50	0.11	0.85	0.85	0.09	0.19	0.19	0.07	0.17	0.17
Sat Flow, veh/h	1781	3554	1533	1781	3554	1539	3456	1870	1570	3456	1870	1557
Grp Volume(v), veh/h	358	1397	50	116	405	34	96	307	100	179	238	24
Grp Sat Flow(s),veh/h/ln	1781	1777	1533	1781	1777	1539	1728	1870	1570	1728	1870	1557
Q Serve(g_s), s	13.1	39.2	1.3	4.4	2.7	0.3	3.1	19.1	5.4	6.1	14.6	1.1
Cycle Q Clear(g_c), s	13.1	39.2	1.3	4.4	2.7	0.3	3.1	19.1	5.4	6.1	14.6	1.1
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	662	1761	759	216	1504	652	307	352	295	235	313	260
V/C Ratio(X)	0.54	0.79	0.07	0.54	0.27	0.05	0.31	0.87	0.34	0.76	0.76	0.09
Avail Cap(c_a), veh/h	662	1761	759	271	1504	652	307	405	340	389	468	389
HCM Platoon Ratio	1.00	1.00	1.00	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	0.94	0.94	0.94	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	14.4	25.2	6.4	21.9	5.5	2.7	51.2	47.3	27.8	55.0	47.7	22.5
Incr Delay (d2), s/veh	0.5	3.8	0.2	0.7	0.4	0.1	0.2	15.4	0.3	1.9	1.7	0.1
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	5.1	16.4	0.7	1.7	1.0	0.2	1.4	10.3	2.5	2.7	6.9	0.6
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	14.9	28.9	6.5	22.6	5.9	2.9	51.5	62.7	28.1	56.9	49.4	22.6
LnGrp LOS	B	C	A	C	A	A	D	E	C	E	D	C
Approach Vol, veh/h		1805			555			503			441	
Approach Delay, s/veh		25.5			9.2			53.7			51.0	
Approach LOS		C			A			D			D	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	20.0	56.8	13.6	29.6	11.3	65.5	16.1	27.1
Change Period (Y+Rc), s	5.0	6.0	5.5	7.0	5.0	6.0	5.5	7.0
Max Green Setting (Gmax), s	15.0	42.0	13.5	26.0	10.0	47.0	9.5	30.0
Max Q Clear Time (g_c+I1), s	15.1	4.7	8.1	21.1	6.4	41.2	5.1	16.6
Green Ext Time (p_c), s	0.0	0.9	0.1	0.3	0.0	2.3	0.0	0.4

Intersection Summary	
HCM 6th Ctrl Delay	30.5
HCM 6th LOS	C

Notes

User approved pedestrian interval to be less than phase max green.

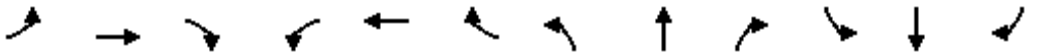
Intersection	
Int Delay, s/veh	1

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	13	0	59	1	0	0	12	667	11	0	454	5
Future Vol, veh/h	13	0	59	1	0	0	12	667	11	0	454	5
Conflicting Peds, #/hr	1	0	1	1	0	1	1	0	1	1	0	1
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	50	-	-	-	50	-	-	50	-	20
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	90	90	90	90	90	90	90	90	90	90	90	90
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	14	0	66	1	0	0	13	741	12	0	504	6

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1279	1285	506	1315	1285	749	511	0	0	754	0	0
Stage 1	505	505	-	774	774	-	-	-	-	-	-	-
Stage 2	774	780	-	541	511	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	143	165	566	135	165	412	1054	-	-	856	-	-
Stage 1	549	540	-	391	408	-	-	-	-	-	-	-
Stage 2	391	406	-	525	537	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	141	163	565	118	163	411	1053	-	-	855	-	-
Mov Cap-2 Maneuver	141	163	-	118	163	-	-	-	-	-	-	-
Stage 1	542	539	-	386	403	-	-	-	-	-	-	-
Stage 2	386	401	-	464	536	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	16	35.8	0.1	0
HCM LOS	C	E		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	EBLn2	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1053	-	-	141	565	118	855	-	-
HCM Lane V/C Ratio	0.013	-	-	0.102	0.116	0.009	-	-	-
HCM Control Delay (s)	8.5	-	-	33.4	12.2	35.8	0	-	-
HCM Lane LOS	A	-	-	D	B	E	A	-	-
HCM 95th %tile Q(veh)	0	-	-	0.3	0.4	0	0	-	-



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	80	1492	105	302	541	380	6	20	95	172	31	20
Future Volume (veh/h)	80	1492	105	302	541	380	6	20	95	172	31	20
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		0.98	1.00		0.97	0.95		0.97	0.99		0.98
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	92	1715	38	347	622	343	7	23	32	198	36	2
Peak Hour Factor	0.87	0.87	0.87	0.87	0.87	0.87	0.87	0.87	0.87	0.87	0.87	0.87
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	422	1964	860	388	2084	944	158	118	97	277	241	13
Arrive On Green	0.08	1.00	1.00	0.10	0.61	0.61	0.01	0.06	0.06	0.08	0.14	0.14
Sat Flow, veh/h	1781	3554	1556	1781	3404	1542	1781	1870	1531	1781	1753	97
Grp Volume(v), veh/h	92	1715	38	347	622	343	7	23	32	198	0	38
Grp Sat Flow(s),veh/h/ln	1781	1777	1556	1781	1702	1542	1781	1870	1531	1781	0	1850
Q Serve(g_s), s	2.7	0.0	0.0	9.6	10.4	13.3	0.4	1.4	2.4	10.0	0.0	2.2
Cycle Q Clear(g_c), s	2.7	0.0	0.0	9.6	10.4	13.3	0.4	1.4	2.4	10.0	0.0	2.2
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		0.05
Lane Grp Cap(c), veh/h	422	1964	860	388	2084	944	158	118	97	277	0	255
V/C Ratio(X)	0.22	0.87	0.04	0.89	0.30	0.36	0.04	0.19	0.33	0.71	0.00	0.15
Avail Cap(c_a), veh/h	574	1964	860	464	2084	944	291	277	227	277	0	265
HCM Platoon Ratio	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	0.52	0.52	0.52	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	1.00
Uniform Delay (d), s/veh	10.3	0.0	0.0	13.2	11.0	11.6	51.9	53.3	53.8	48.1	0.0	45.5
Incr Delay (d2), s/veh	0.0	3.1	0.1	15.8	0.4	1.1	0.0	0.3	0.7	7.3	0.0	0.1
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	1.0	0.8	0.0	5.0	3.8	4.5	0.2	0.7	1.0	1.5	0.0	1.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	10.3	3.1	0.1	29.0	11.4	12.7	51.9	53.6	54.5	55.4	0.0	45.6
LnGrp LOS	B	A	A	C	B	B	D	D	D	E	A	D
Approach Vol, veh/h		1845			1312			62			236	
Approach Delay, s/veh		3.4			16.4			53.9			53.9	
Approach LOS		A			B			D			D	

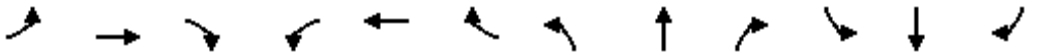
Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	9.8	79.9	15.0	15.4	16.9	72.7	6.0	24.3
Change Period (Y+Rc), s	5.0	6.4	5.0	* 7.8	5.0	6.4	5.0	* 7.8
Max Green Setting (Gmax), s	15.0	53.6	10.0	* 18	17.0	51.6	10.0	* 17
Max Q Clear Time (g_c+I1), s	4.7	15.3	12.0	4.4	11.6	2.0	2.4	4.2
Green Ext Time (p_c), s	0.1	2.4	0.0	0.0	0.3	5.7	0.0	0.0

Intersection Summary	
HCM 6th Ctrl Delay	12.7
HCM 6th LOS	B

Notes

User approved pedestrian interval to be less than phase max green.

* HCM 6th computational engine requires equal clearance times for the phases crossing the barrier.



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	144	810	189	216	1342	94	243	224	142	147	338	321
Future Volume (veh/h)	144	810	189	216	1342	94	243	224	142	147	338	321
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		0.96	1.00		0.98	1.00		0.99	1.00		0.97
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	148	835	84	223	1384	39	251	231	18	152	348	180
Peak Hour Factor	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	267	1480	631	367	1580	694	274	307	258	456	405	335
Arrive On Green	0.06	0.42	0.42	0.18	0.89	0.89	0.08	0.16	0.16	0.13	0.22	0.22
Sat Flow, veh/h	1781	3554	1515	1781	3554	1560	3456	1870	1571	3456	1870	1543
Grp Volume(v), veh/h	148	835	84	223	1384	39	251	231	18	152	348	180
Grp Sat Flow(s),veh/h/ln	1781	1777	1515	1781	1777	1560	1728	1870	1571	1728	1870	1543
Q Serve(g_s), s	5.7	21.5	2.9	8.8	23.4	0.2	8.7	14.1	0.9	4.8	21.5	9.8
Cycle Q Clear(g_c), s	5.7	21.5	2.9	8.8	23.4	0.2	8.7	14.1	0.9	4.8	21.5	9.8
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	267	1480	631	367	1580	694	274	307	258	456	405	335
V/C Ratio(X)	0.55	0.56	0.13	0.61	0.88	0.06	0.92	0.75	0.07	0.33	0.86	0.54
Avail Cap(c_a), veh/h	302	1480	631	501	1580	694	274	468	393	456	468	386
HCM Platoon Ratio	1.00	1.00	1.00	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	0.48	0.48	0.48	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	20.4	26.7	10.6	17.5	5.0	1.3	54.9	47.8	25.2	47.3	45.2	26.1
Incr Delay (d2), s/veh	0.7	1.6	0.4	0.3	3.6	0.1	32.9	1.4	0.0	0.2	12.0	0.5
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	2.3	9.1	1.5	2.9	3.1	0.1	5.0	6.6	0.5	2.1	11.2	3.6
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	21.1	28.3	11.0	17.8	8.6	1.4	87.8	49.3	25.2	47.4	57.2	26.6
LnGrp LOS	C	C	B	B	A	A	F	D	C	D	E	C
Approach Vol, veh/h		1067			1646			500			680	
Approach Delay, s/veh		25.9			9.7			67.7			46.9	
Approach LOS		C			A			E			D	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	12.6	59.3	21.3	26.7	16.0	56.0	15.0	33.0
Change Period (Y+Rc), s	5.0	6.0	5.5	7.0	5.0	6.0	5.5	7.0
Max Green Setting (Gmax), s	10.0	47.0	9.5	30.0	20.0	37.0	9.5	30.0
Max Q Clear Time (g_c+I1), s	7.7	25.4	6.8	16.1	10.8	23.5	10.7	23.5
Green Ext Time (p_c), s	0.0	3.9	0.0	0.4	0.2	1.9	0.0	0.5

Intersection Summary	
HCM 6th Ctrl Delay	28.1
HCM 6th LOS	C

Notes

User approved pedestrian interval to be less than phase max green.

Intersection	
Int Delay, s/veh	2.2

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	6	0	29	18	0	4	45	421	8	1	754	17
Future Vol, veh/h	6	0	29	18	0	4	45	421	8	1	754	17
Conflicting Peds, #/hr	3	0	2	1	0	2	2	0	1	2	0	3
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	50	-	-	-	50	-	-	50	-	20
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	80	80	80	80	80	80	80	80	80	80	80	80
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	8	0	36	23	0	5	56	526	10	1	943	21

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1597	1598	948	1621	1614	536	967	0	0	538	0	0
Stage 1	948	948	-	645	645	-	-	-	-	-	-	-
Stage 2	649	650	-	976	969	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	86	106	316	83	104	545	712	-	-	1030	-	-
Stage 1	313	339	-	461	467	-	-	-	-	-	-	-
Stage 2	458	465	-	302	332	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	80	97	314	69	95	542	710	-	-	1028	-	-
Mov Cap-2 Maneuver	80	97	-	69	95	-	-	-	-	-	-	-
Stage 1	287	338	-	424	429	-	-	-	-	-	-	-
Stage 2	417	427	-	266	331	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	24.3	69.6	1	0
HCM LOS	C	F		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	EBLn2	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	710	-	-	80	314	82	1028	-	-
HCM Lane V/C Ratio	0.079	-	-	0.094	0.115	0.335	0.001	-	-
HCM Control Delay (s)	10.5	-	-	54.6	18	69.6	8.5	-	-
HCM Lane LOS	B	-	-	F	C	F	A	-	-
HCM 95th %tile Q(veh)	0.3	-	-	0.3	0.4	1.3	0	-	-

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	36	1037	26	75	1434	130	108	34	283	310	25	110
Future Volume (veh/h)	36	1037	26	75	1434	130	108	34	283	310	25	110
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		0.98	1.00		0.97	0.99		0.98	1.00		0.99
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	47	1347	9	97	1862	159	140	44	184	403	32	43
Peak Hour Factor	0.77	0.77	0.77	0.77	0.77	0.77	0.77	0.77	0.77	0.77	0.77	0.77
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	164	1825	800	339	2493	212	367	254	211	385	116	155
Arrive On Green	0.07	1.00	1.00	0.04	0.52	0.52	0.08	0.14	0.14	0.11	0.16	0.16
Sat Flow, veh/h	1781	3554	1559	1781	4782	406	1781	1870	1553	1781	718	964
Grp Volume(v), veh/h	47	1347	9	97	1323	698	140	44	184	403	0	75
Grp Sat Flow(s),veh/h/ln	1781	1777	1559	1781	1702	1784	1781	1870	1553	1781	0	1682
Q Serve(g_s), s	1.5	0.0	0.0	3.1	36.5	36.9	8.0	2.5	13.9	13.0	0.0	4.7
Cycle Q Clear(g_c), s	1.5	0.0	0.0	3.1	36.5	36.9	8.0	2.5	13.9	13.0	0.0	4.7
Prop In Lane	1.00		1.00	1.00		0.23	1.00		1.00	1.00		0.57
Lane Grp Cap(c), veh/h	164	1825	800	339	1775	930	367	254	211	385	0	271
V/C Ratio(X)	0.29	0.74	0.01	0.29	0.75	0.75	0.38	0.17	0.87	1.05	0.00	0.28
Avail Cap(c_a), veh/h	254	1825	800	415	1775	930	412	277	230	385	0	271
HCM Platoon Ratio	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	0.83	0.83	0.83	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	1.00
Uniform Delay (d), s/veh	18.9	0.0	0.0	12.6	22.5	22.6	39.8	45.9	50.9	46.2	0.0	44.2
Incr Delay (d2), s/veh	0.3	2.3	0.0	0.2	2.9	5.5	0.2	0.1	25.7	58.9	0.0	0.2
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.6	0.6	0.0	1.2	14.4	15.9	3.6	1.2	7.0	11.7	0.0	2.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	19.2	2.3	0.0	12.8	25.4	28.1	40.0	46.0	76.5	105.1	0.0	44.4
LnGrp LOS	B	A	A	B	C	C	D	D	E	F	A	D
Approach Vol, veh/h		1403			2118			368			478	
Approach Delay, s/veh		2.8			25.7			59.0			95.6	
Approach LOS		A			C			E			F	

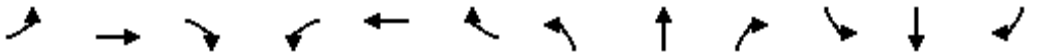
Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	9.0	69.0	18.0	24.1	9.9	68.0	15.0	27.1
Change Period (Y+Rc), s	5.0	6.4	5.0	* 7.8	5.0	6.4	5.0	* 7.8
Max Green Setting (Gmax), s	10.0	55.6	13.0	* 18	10.0	55.6	13.0	* 17
Max Q Clear Time (g_c+I1), s	3.5	38.9	15.0	15.9	5.1	2.0	10.0	6.7
Green Ext Time (p_c), s	0.0	5.3	0.0	0.0	0.0	3.9	0.1	0.1

Intersection Summary	
HCM 6th Ctrl Delay	28.8
HCM 6th LOS	C

Notes

User approved pedestrian interval to be less than phase max green.

* HCM 6th computational engine requires equal clearance times for the phases crossing the barrier.



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	331	1285	108	107	373	88	88	283	227	170	226	129
Future Volume (veh/h)	331	1285	108	107	373	88	88	283	227	170	226	129
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		0.97	1.00		0.97	1.00		0.99	1.00		0.98
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	360	1397	50	116	405	35	96	308	100	185	246	28
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	659	1752	756	215	1497	648	303	352	296	241	319	265
Arrive On Green	0.13	0.49	0.49	0.11	0.84	0.84	0.09	0.19	0.19	0.07	0.17	0.17
Sat Flow, veh/h	1781	3554	1533	1781	3554	1539	3456	1870	1570	3456	1870	1557
Grp Volume(v), veh/h	360	1397	50	116	405	35	96	308	100	185	246	28
Grp Sat Flow(s),veh/h/ln	1781	1777	1533	1781	1777	1539	1728	1870	1570	1728	1870	1557
Q Serve(g_s), s	13.3	39.4	1.3	4.5	2.8	0.3	3.1	19.2	5.4	6.3	15.1	1.3
Cycle Q Clear(g_c), s	13.3	39.4	1.3	4.5	2.8	0.3	3.1	19.2	5.4	6.3	15.1	1.3
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	659	1752	756	215	1497	648	303	352	296	241	319	265
V/C Ratio(X)	0.55	0.80	0.07	0.54	0.27	0.05	0.32	0.87	0.34	0.77	0.77	0.11
Avail Cap(c_a), veh/h	659	1752	756	269	1497	648	303	405	340	389	468	389
HCM Platoon Ratio	1.00	1.00	1.00	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	0.94	0.94	0.94	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	14.5	25.4	6.5	22.1	5.7	2.8	51.4	47.3	27.8	54.9	47.5	22.3
Incr Delay (d2), s/veh	0.5	3.9	0.2	0.7	0.4	0.1	0.2	15.6	0.2	2.0	2.4	0.1
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	5.1	16.6	0.7	1.7	1.0	0.2	1.4	10.3	2.5	2.8	7.2	0.7
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	15.1	29.3	6.7	22.8	6.1	3.0	51.6	62.9	28.0	56.8	49.9	22.4
LnGrp LOS	B	C	A	C	A	A	D	E	C	E	D	C
Approach Vol, veh/h		1807			556			504			459	
Approach Delay, s/veh		25.8			9.4			53.8			51.0	
Approach LOS		C			A			D			D	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	20.0	56.5	13.9	29.6	11.4	65.2	16.0	27.4
Change Period (Y+Rc), s	5.0	6.0	5.5	7.0	5.0	6.0	5.5	7.0
Max Green Setting (Gmax), s	15.0	42.0	13.5	26.0	10.0	47.0	9.5	30.0
Max Q Clear Time (g_c+I1), s	15.3	4.8	8.3	21.2	6.5	41.4	5.1	17.1
Green Ext Time (p_c), s	0.0	0.9	0.1	0.3	0.0	2.3	0.0	0.4

Intersection Summary	
HCM 6th Ctrl Delay	30.8
HCM 6th LOS	C

Notes

User approved pedestrian interval to be less than phase max green.

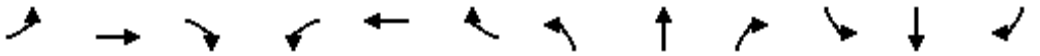
Intersection	
Int Delay, s/veh	1.3

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	16	0	75	1	0	0	16	667	11	0	454	6
Future Vol, veh/h	16	0	75	1	0	0	16	667	11	0	454	6
Conflicting Peds, #/hr	1	0	1	1	0	1	1	0	1	1	0	1
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	50	-	-	-	50	-	-	50	-	20
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	90	90	90	90	90	90	90	90	90	90	90	90
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	18	0	83	1	0	0	18	741	12	0	504	7

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1289	1295	506	1334	1296	749	512	0	0	754	0	0
Stage 1	505	505	-	784	784	-	-	-	-	-	-	-
Stage 2	784	790	-	550	512	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	141	162	566	131	162	412	1053	-	-	856	-	-
Stage 1	549	540	-	386	404	-	-	-	-	-	-	-
Stage 2	386	402	-	519	536	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	139	159	565	110	159	411	1052	-	-	855	-	-
Mov Cap-2 Maneuver	139	159	-	110	159	-	-	-	-	-	-	-
Stage 1	539	539	-	379	397	-	-	-	-	-	-	-
Stage 2	379	395	-	442	535	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	16.4	38.1	0.2	0
HCM LOS	C	E		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	EBLn2	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1052	-	-	139	565	110	855	-	-
HCM Lane V/C Ratio	0.017	-	-	0.128	0.147	0.01	-	-	-
HCM Control Delay (s)	8.5	-	-	34.7	12.5	38.1	0	-	-
HCM Lane LOS	A	-	-	D	B	E	A	-	-
HCM 95th %tile Q(veh)	0.1	-	-	0.4	0.5	0	0	-	-



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	80	1497	105	302	542	380	6	20	95	172	31	20
Future Volume (veh/h)	80	1497	105	302	542	380	6	20	95	172	31	20
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		0.98	1.00		0.97	0.95		0.97	0.99		0.98
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	92	1721	38	347	623	343	7	23	32	198	36	2
Peak Hour Factor	0.87	0.87	0.87	0.87	0.87	0.87	0.87	0.87	0.87	0.87	0.87	0.87
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	422	1964	860	387	2084	944	158	118	97	277	241	13
Arrive On Green	0.08	1.00	1.00	0.10	0.61	0.61	0.01	0.06	0.06	0.08	0.14	0.14
Sat Flow, veh/h	1781	3554	1556	1781	3404	1542	1781	1870	1531	1781	1753	97
Grp Volume(v), veh/h	92	1721	38	347	623	343	7	23	32	198	0	38
Grp Sat Flow(s),veh/h/ln	1781	1777	1556	1781	1702	1542	1781	1870	1531	1781	0	1850
Q Serve(g_s), s	2.7	0.0	0.0	9.6	10.4	13.3	0.4	1.4	2.4	10.0	0.0	2.2
Cycle Q Clear(g_c), s	2.7	0.0	0.0	9.6	10.4	13.3	0.4	1.4	2.4	10.0	0.0	2.2
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		0.05
Lane Grp Cap(c), veh/h	422	1964	860	387	2084	944	158	118	97	277	0	255
V/C Ratio(X)	0.22	0.88	0.04	0.90	0.30	0.36	0.04	0.19	0.33	0.71	0.00	0.15
Avail Cap(c_a), veh/h	574	1964	860	463	2084	944	291	277	227	277	0	265
HCM Platoon Ratio	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	0.52	0.52	0.52	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	1.00
Uniform Delay (d), s/veh	10.3	0.0	0.0	13.3	11.0	11.6	51.9	53.3	53.8	48.1	0.0	45.5
Incr Delay (d2), s/veh	0.0	3.2	0.1	16.1	0.4	1.1	0.0	0.3	0.7	7.3	0.0	0.1
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	1.0	0.9	0.0	5.1	3.8	4.5	0.2	0.7	1.0	1.5	0.0	1.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	10.3	3.2	0.1	29.4	11.4	12.7	51.9	53.6	54.5	55.4	0.0	45.6
LnGrp LOS	B	A	A	C	B	B	D	D	D	E	A	D
Approach Vol, veh/h		1851			1313			62			236	
Approach Delay, s/veh		3.5			16.5			53.9			53.9	
Approach LOS		A			B			D			D	

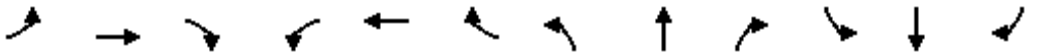
Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	9.8	79.9	15.0	15.4	16.9	72.7	6.0	24.3
Change Period (Y+Rc), s	5.0	6.4	5.0	* 7.8	5.0	6.4	5.0	* 7.8
Max Green Setting (Gmax), s	15.0	53.6	10.0	* 18	17.0	51.6	10.0	* 17
Max Q Clear Time (g_c+I1), s	4.7	15.3	12.0	4.4	11.6	2.0	2.4	4.2
Green Ext Time (p_c), s	0.1	2.4	0.0	0.0	0.3	5.8	0.0	0.0

Intersection Summary	
HCM 6th Ctrl Delay	12.8
HCM 6th LOS	B

Notes

User approved pedestrian interval to be less than phase max green.

* HCM 6th computational engine requires equal clearance times for the phases crossing the barrier.



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	148	810	189	216	1342	97	243	231	142	149	342	325
Future Volume (veh/h)	148	810	189	216	1342	97	243	231	142	149	342	325
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		0.96	1.00		0.98	1.00		0.99	1.00		0.97
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	153	835	84	223	1384	42	251	238	18	154	353	184
Peak Hour Factor	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	264	1472	628	366	1567	688	274	311	262	454	409	337
Arrive On Green	0.07	0.41	0.41	0.18	0.88	0.88	0.08	0.17	0.17	0.13	0.22	0.22
Sat Flow, veh/h	1781	3554	1515	1781	3554	1560	3456	1870	1571	3456	1870	1544
Grp Volume(v), veh/h	153	835	84	223	1384	42	251	238	18	154	353	184
Grp Sat Flow(s),veh/h/ln	1781	1777	1515	1781	1777	1560	1728	1870	1571	1728	1870	1544
Q Serve(g_s), s	5.9	21.6	2.9	8.9	25.0	0.2	8.7	14.6	0.9	4.9	21.8	10.0
Cycle Q Clear(g_c), s	5.9	21.6	2.9	8.9	25.0	0.2	8.7	14.6	0.9	4.9	21.8	10.0
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	264	1472	628	366	1567	688	274	311	262	454	409	337
V/C Ratio(X)	0.58	0.57	0.13	0.61	0.88	0.06	0.92	0.76	0.07	0.34	0.86	0.55
Avail Cap(c_a), veh/h	296	1472	628	499	1567	688	274	468	393	454	468	386
HCM Platoon Ratio	1.00	1.00	1.00	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	0.48	0.48	0.48	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	21.1	26.9	10.7	17.7	5.4	1.4	54.9	47.8	25.0	47.4	45.2	25.8
Incr Delay (d2), s/veh	1.0	1.6	0.4	0.3	3.9	0.1	32.9	1.8	0.0	0.2	12.7	0.5
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	2.4	9.2	1.5	3.0	3.3	0.2	5.0	6.9	0.5	2.1	11.4	3.7
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	22.1	28.5	11.2	18.0	9.3	1.5	87.8	49.5	25.0	47.6	57.8	26.4
LnGrp LOS	C	C	B	B	A	A	F	D	C	D	E	C
Approach Vol, veh/h		1072			1649			507			691	
Approach Delay, s/veh		26.2			10.3			67.6			47.2	
Approach LOS		C			B			E			D	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	12.9	58.9	21.2	27.0	16.1	55.7	15.0	33.2
Change Period (Y+Rc), s	5.0	6.0	5.5	7.0	5.0	6.0	5.5	7.0
Max Green Setting (Gmax), s	10.0	47.0	9.5	30.0	20.0	37.0	9.5	30.0
Max Q Clear Time (g_c+I1), s	7.9	27.0	6.9	16.6	10.9	23.6	10.7	23.8
Green Ext Time (p_c), s	0.0	3.8	0.0	0.4	0.2	1.9	0.0	0.5

Intersection Summary	
HCM 6th Ctrl Delay	28.6
HCM 6th LOS	C

Notes

User approved pedestrian interval to be less than phase max green.

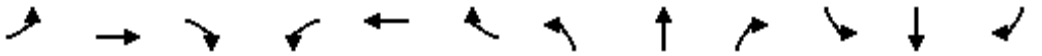
Intersection	
Int Delay, s/veh	2.8

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	8	0	39	18	0	4	59	421	8	1	754	22
Future Vol, veh/h	8	0	39	18	0	4	59	421	8	1	754	22
Conflicting Peds, #/hr	3	0	2	1	0	2	2	0	1	2	0	3
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	50	-	-	-	50	-	-	50	-	20
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	80	80	80	80	80	80	80	80	80	80	80	80
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	10	0	49	23	0	5	74	526	10	1	943	28

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1633	1634	948	1667	1657	536	974	0	0	538	0	0
Stage 1	948	948	-	681	681	-	-	-	-	-	-	-
Stage 2	685	686	-	986	976	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	81	101	316	77	98	545	708	-	-	1030	-	-
Stage 1	313	339	-	440	450	-	-	-	-	-	-	-
Stage 2	438	448	-	298	329	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	73	90	314	60	87	542	706	-	-	1028	-	-
Mov Cap-2 Maneuver	73	90	-	60	87	-	-	-	-	-	-	-
Stage 1	280	338	-	393	402	-	-	-	-	-	-	-
Stage 2	387	400	-	251	328	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	26	83.1	1.3	0
HCM LOS	D	F		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	EBLn2	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	706	-	-	73	314	72	1028	-	-
HCM Lane V/C Ratio	0.104	-	-	0.137	0.155	0.382	0.001	-	-
HCM Control Delay (s)	10.7	-	-	62	18.6	83.1	8.5	-	-
HCM Lane LOS	B	-	-	F	C	F	A	-	-
HCM 95th %tile Q(veh)	0.3	-	-	0.5	0.5	1.5	0	-	-



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	36	1039	26	75	1437	130	108	34	283	310	25	110
Future Volume (veh/h)	36	1039	26	75	1437	130	108	34	283	310	25	110
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		0.98	1.00		0.97	0.99		0.98	1.00		0.99
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	47	1349	9	97	1866	159	140	44	184	403	32	43
Peak Hour Factor	0.77	0.77	0.77	0.77	0.77	0.77	0.77	0.77	0.77	0.77	0.77	0.77
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	163	1825	800	339	2494	211	367	254	211	385	116	155
Arrive On Green	0.07	1.00	1.00	0.04	0.52	0.52	0.08	0.14	0.14	0.11	0.16	0.16
Sat Flow, veh/h	1781	3554	1559	1781	4783	406	1781	1870	1553	1781	718	964
Grp Volume(v), veh/h	47	1349	9	97	1325	700	140	44	184	403	0	75
Grp Sat Flow(s),veh/h/ln	1781	1777	1559	1781	1702	1784	1781	1870	1553	1781	0	1682
Q Serve(g_s), s	1.5	0.0	0.0	3.1	36.6	37.0	8.0	2.5	13.9	13.0	0.0	4.7
Cycle Q Clear(g_c), s	1.5	0.0	0.0	3.1	36.6	37.0	8.0	2.5	13.9	13.0	0.0	4.7
Prop In Lane	1.00		1.00	1.00		0.23	1.00		1.00	1.00		0.57
Lane Grp Cap(c), veh/h	163	1825	800	339	1775	930	367	254	211	385	0	271
V/C Ratio(X)	0.29	0.74	0.01	0.29	0.75	0.75	0.38	0.17	0.87	1.05	0.00	0.28
Avail Cap(c_a), veh/h	253	1825	800	414	1775	930	412	277	230	385	0	271
HCM Platoon Ratio	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	0.83	0.83	0.83	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	1.00
Uniform Delay (d), s/veh	18.9	0.0	0.0	12.6	22.5	22.6	39.8	45.9	50.9	46.2	0.0	44.2
Incr Delay (d2), s/veh	0.3	2.3	0.0	0.2	2.9	5.6	0.2	0.1	25.7	58.9	0.0	0.2
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.6	0.6	0.0	1.2	14.4	16.0	3.6	1.2	7.0	11.7	0.0	2.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	19.2	2.3	0.0	12.8	25.4	28.2	40.0	46.0	76.5	105.1	0.0	44.4
LnGrp LOS	B	A	A	B	C	C	D	D	E	F	A	D
Approach Vol, veh/h		1405			2122			368			478	
Approach Delay, s/veh		2.8			25.8			59.0			95.6	
Approach LOS		A			C			E			F	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	9.0	69.0	18.0	24.1	9.9	68.0	15.0	27.1
Change Period (Y+Rc), s	5.0	6.4	5.0	* 7.8	5.0	6.4	5.0	* 7.8
Max Green Setting (Gmax), s	10.0	55.6	13.0	* 18	10.0	55.6	13.0	* 17
Max Q Clear Time (g_c+I1), s	3.5	39.0	15.0	15.9	5.1	2.0	10.0	6.7
Green Ext Time (p_c), s	0.0	5.3	0.0	0.0	0.0	3.9	0.1	0.1

Intersection Summary	
HCM 6th Ctrl Delay	28.8
HCM 6th LOS	C

Notes

User approved pedestrian interval to be less than phase max green.

* HCM 6th computational engine requires equal clearance times for the phases crossing the barrier.

FEHR PEERS

Memorandum

Date: July 20, 2022

To: Quinn Millet, Wellsville Mtns LLC

CC: Jake Christensen, Atlas Ventures

From: Calvin Clark, Fehr & Peers
Chris Bender, Fehr & Peers
Preston Stinger, Fehr & Peers

Subject: Applegate Expansion TIS Update Phase 1

UT22-2375

This memo summarizes the analyses performed for phase 1 of the Applegate Expansion TIS Update. Fehr & Peers performed the following tasks as part of this phase:

1. Reviewed the current Murray city code that outlines required accesses to the development,
2. Collected 24-hour traffic counts along Applegate Drive,
3. Performed a functional class analysis of Applegate Drive based on existing and existing plus project traffic volumes according to Murray's city guidelines,
4. Analyzed the proposed site plan included in the appendix to identify locations where on-street parking would be feasible along Applegate Drive.

Access Requirements

Fehr & Peers reviewed Murray's city code relating to access management for new developments. Murray City Code 16.16.090 (A) states:

> *All lots or parcels created by the subdivision of land, for single-family or two-family dwellings, including, without limiting, subdivisions, residential infill developments, and planned unit developments, shall abut a public street which is improved to standards established according to this chapter.*

Applegate Drive is currently operated as a private local road; however, the city code requires that all single-family or two-family dwellings abut a public road. As the current site plan includes attached townhomes in sections of three or more, Applegate Drive can accommodate this site plan while maintaining private ownership.

Murray City Code 16.16.170 (B.2) states:

> *Multiple-Family Dwellings: Any residential subdivision development of more than one hundred (100) multiple-family dwellings shall have access to and from at least two (2) existing or proposed streets.*

The Applegate community currently has more than 100 multifamily dwellings in the existing development, and therefore already requires a second street access. Although Applegate has not been required to retroactively meet this requirement, we anticipate that Murray will require that the entire development will need to meet this requirement if the proposed 50 new units in the Applegate expansion are constructed.

Fehr & Peers recommends coordinating with Murray city staff to provide a connection between Applegate Dr and 5160 South to create the second access to the community. To alleviate concerns of increased traffic on Applegate Dr from cut-through traffic from the neighborhood to the west accessing Murray Blvd / 700 West / 5300 S, a gate can be installed. It is important that the gate allow emergency vehicles to maintain access during an emergency in case Applegate Dr at Murray Blvd becomes inaccessible. Fehr & Peers does not anticipate that much traffic from Applegate Dr would use the access to 5160 South regularly, but the connection would provide an alternative for the small number of residents currently attempting to turn left from Applegate onto Murray Blvd but are currently experiencing moderately high delays. Fehr & Peers estimates that no more than 5% of traffic would divert to use the additional access under typical circumstances.

Data Collection

Fehr & Peers collected 24-hour traffic counts along Applegate Drive between Murray Boulevard and Ben Davis Park on Thursday, June 9, 2022, and on Saturday, June 11, 2022. The daily two-way traffic volumes counted on these days are presented in **Table 1**.

Table 1: Applegate Drive East of Ben Davis Park Daily Traffic Counts

Day	Westbound	Eastbound	Two-way
Thursday	468	474	942
Saturday	444	443	887

Source: Fehr & Peers.

As shown in the table, the two-way traffic volumes on both days were under 1,000 daily vehicles. Thursday was found to be the day with the highest observed traffic volumes during the data collection.

Functional Class Analysis

Murray Functional Class Requirements

Murray City's roadway classifications are based on "use, roadway geometry and traffic volume" (Murray City Access Management Standards, 2019). Murray City operates the following classifications:

- Minor Arterial (10,000-25,000 daily vehicles)
- Major Collector (3,500-10,000 daily vehicles)
- Minor Collector (1,500-3,500 daily vehicles)
- Local Street (less than 1,500 daily vehicles)

Murray engineering staff have specified that local streets can be sub-categorized into two classifications Local streets that serve 800-1,500 vehicle trips per day are considered "residential collector" streets, which functionally act as a bridge between smaller local streets and collector/arterial roads. Local streets that serve fewer than 800 vehicle trips per day are considered "minor local" streets.

Murray's standard drawings indicate that local streets require 49-60 feet of right-of-way with 25-35 feet of that being pavement. Murray engineering staff also stated that "residential collector" streets generally require the maximum right-of-way of 60 feet with 35 feet of pavement. Minor local streets typically require only the minimum right-of-way of 49 feet with 25 feet of pavement.

Daily Trip Generation

Fehr & Peers estimated the daily trips generated by the proposed Applegate expansion of 50 townhomes using the Institute of Transportation Engineers (ITE) *Trip Generation, 11th Edition* (2021) manual. The trip generation is shown in **Table 2**.

Table 2: Daily Trip Generation

ITE Land Use	Units	Daily Trips
215 – Single-Family Attached Housing	50	331

Source: Fehr & Peers.

Fehr & Peers approximated the total "existing plus project" daily two-way traffic along Applegate Drive east of Ben Davis Park by combining the existing daily traffic volumes from the day with the highest observed traffic volumes during our data collection (**Table 1**) with the daily trips to be generated by the proposed Applegate expansion (**Table 2**). Fehr & Peers did the same with the portion of Applegate Drive west of Rome Beauty Park, though existing two-way volumes were derived from the counts east of Ben Davis. Roughly 40% of current trip generators in the Applegate community access Applegate Drive west of Rome Beauty Park to enter/exit via the primary neighborhood entrance on Murray Blvd. A maximum of 5% of existing traffic are assumed to redirect from the current access to the western access. These estimates combine to give an upper estimate for Applegate Drive west of Rome Beauty Park of 45% of traffic counted on Applegate Drive east of Ben Davis Park

The two-way daily existing, two-way daily trip generation, and two-way plus project volumes are presented in **Table 3**. The table also includes Murray's functional classification type based on the traffic volume requirements of a minor local street (less than 800 vehicles) and a residential collector (between 800 vehicles and 1500 vehicles). As shown in the table, the existing volume of 942 daily vehicles and the existing plus project daily volume of 1,273 daily vehicles along Applegate Drive east of Ben Davis Park are both within Murray's functional classification requirement for a residential collector, which requires a pavement width of 35 feet, and a total right-of-way of 60 feet. Since the expected traffic west of Rome Beauty Park is less than 800 vehicles, Fehr & Peers recommends treating this section as a minor local street with a pavement width of 25 feet and a total right-of-way of 49 feet. Fehr & Peers recommends maintaining the greater width between the two sections, with the width of the road changing at the intersection of Rome Beauty Park.

Table 3: Applegate Drive Functional Class Analysis

Location	Two-way Existing Volumes	Two-way Project Volumes	Existing + Project Two-way Volumes	Murray Street Classification
East of Ben Davis Park	942	331	1,273	Residential Collector (60') – (<1,500 ADT)
West of Rome Beauty Park	424	331	755	Minor Local Street (49') – (<800 ADT)

Source: Fehr & Peers, 2022; Murray City Access Management Standards, 2019.

On-street Parking Analysis

Fehr & Peers reviewed recommended parking dimensions from the Urban Land Institute's (ULI) *Dimensions of Parking, Fifth Edition* (2010) and consulted with Murray city staff about recommended on-street parking spacing in Murray. The ULI manual indicates that a typical passenger vehicle will occupy approximately 17-18 feet of space along the street. Additionally, Murray city staff recommended providing 5 feet of space between driveways and the edge of a vehicle. Therefore, for this study, Fehr & Peers recommends that a minimum length of 22 feet of space along Applegate Drive would be required per vehicle of on-street parking capacity.

The project team also evaluated the proposed Applegate Townhomes expansion site plan to approximate the amount of available on-street parking space. The site plan indicates that each of the proposed duplex-style townhomes would have two driveways spaced approximately 14 feet apart, so no on-street parking would be feasible immediately in front of the townhomes. Additionally, each of the pairs of townhomes along the south side of Applegate Drive are spaced within 10 feet of each other, so no parking is feasible between the townhomes there. Due to the curvature of the road, some of the driveways along the north side are spaced as far as 21.5 feet apart. However, these segments still do not provide sufficient space for on-street parking. Furthermore, the pavement width in this section of Applegate Drive is anticipated to be 25 feet. Fehr & Peers does not recommend striping for on-street parking on a roadway less than 35 feet wide. Therefore, Fehr & Peers does not recommend permitting any on-street parking along Applegate Drive in the vicinity of the proposed expansion.

Recommendations

Fehr & Peers reviewed the site plan for the Applegate Expansion along with the requirements for Murray City to develop recommendations for the Applegate Expansion to meet City requirements. We recommend coordinating with Murray city staff to develop a plan to add a second access to the community between Applegate Dr and 5160 S to meet Murray's requirement for all communities of more than 100 multi-family units to provide a second access. If the access is gated, it is not anticipated that this connection would cause adverse traffic impacts on either side of the connection.

Functionally, due to the low volumes observed during data collection, we recommend that Applegate Drive maintain its current functional class of a local street, with a pavement width of 35

feet and a total right-of-way of 60 feet between Rome Beauty Park and Murray Blvd and a pavement width of 25 feet and a total right-of-way of 49 feet west of Rome Beauty Park.

Based on the current spacing of driveways throughout the site, Fehr & Peers does not recommend permitting on-street parking along Applegate Drive within the vicinity of the proposed expansion.

Appendix: Proposed site plan for Applegate Townhomes Expansion

FEHR PEERS

Memorandum

Date: December 28, 2022

To: Quinn Millet, Wellsville Mtns LLC
Jake Christensen, Atlas Ventures

From: Calvin Clark, Fehr & Peers
Preston Stinger, Fehr & Peers

Subject: Applegate Expansion Queue Analysis

UT22-2375

This memo summarizes the queue analysis performed at the intersection of Murray Boulevard & Applegate Drive as part of the Applegate Expansion. Fehr & Peers performed the following tasks as part of this analysis:

1. Used previously collected 2019 counts to estimate existing 2022 counts to analyze the queue lengths,
2. Updated trip generation in accordance with the most up-to-date site plan, and
3. Analyzed existing plus project conditions based on the combined existing 2022 and project trips.

Fehr & Peers found that 95th percentile queues at the intersection of Murray Boulevard & Applegate Drive are all less than one vehicle (less than 25 feet) for all eastbound and northbound left-turning movements in both the existing and the existing plus project conditions. Current storage lengths are sufficient to accommodate these queues and are anticipated to continue to accommodate these queues with the addition of Applegate expansion project trips.

Existing Conditions

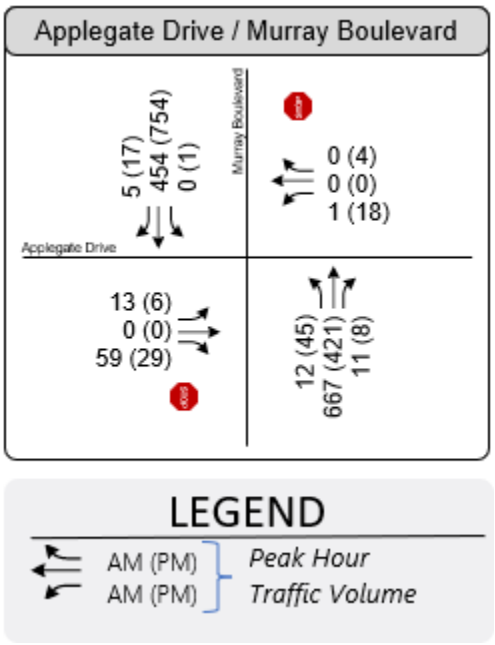
Fehr & Peers collected peak period turning movement counts (TMC) on Wednesday, April 15, 2019, at the intersection of Applegate Drive & Murray Boulevard and 24-hour tube counts on Applegate Drive between Murray Boulevard and Ben Davis Park on Thursday, June 9, 2022. The two count sources for the west leg of the intersection of Applegate Drive and Murray Boulevard are compared in Table 1, showing that the number of counted vehicles in 2022 is lower than the

number of counted vehicles in 2019. To avoid estimating negative growth for 2022 traffic conditions, Fehr & Peers used an annual growth rate of 0%, meaning the 2019 counts were used to represent 2022 existing traffic conditions. The volumes for the existing AM (7:30-8:30 AM) and PM (4:45-5:45) peak hours are shown in Figure 1.

Table 1: 2019 Turning Movement Count and 2022 24-hour Tube Count Comparison

Peak Period	Direction	2019 TMC	2022 Tube
7-9 AM	EB	117	69
	WB	30	16
4-6 PM	EB	75	65
	WB	123	94

Figure 1: Existing Conditions Volumes



Fehr & Peers used HCM 6 methodology to analyze queues at the intersection of Applegate Drive and Murray Blvd for both existing AM and PM peak hours. The queue analysis results are shown in Table 2, and the full Synchro reports are attached in the appendix. Note that queues for approaches entering or exiting the private driveway on the east leg of the intersection were not included. The results of the queuing analysis indicate that all studied movements have 95th percentile queues under one vehicle (or less than 25 feet), meaning that 95% of the time queues for each movement do not exceed one vehicle. The northbound left-turn pocket has a storage length of 50 feet, and the eastbound approach has sufficient width at the throat of the access (24

feet) to accommodate short eastbound left-turning and right-turning queues simultaneously. Existing storage space for each of these movements is sufficient to handle these queues.

Table 2: Existing Queue Analysis for Applegate Drive & Murray Boulevard

Movement	Period	95th Percentile Queue (veh)	95th Percentile Queue (ft)
Northbound Left-turns	AM	<1.0	<25
	PM	<1.0	<25
Eastbound Left-turns	AM	<1.0	<25
	PM	<1.0	<25
Eastbound Right-turns	AM	<1.0	<25
	PM	<1.0	<25

Project Trip Generation

The proposed project is a development of 44 townhomes. Fehr & Peers estimated the number of trips to be generated by this project based on rates published in the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition, 2022. The manual's documentation classifies townhouses under the land use code 215: Single-Family Attached Housing. The trip generation is shown in Table 3. The total AM trip generation is estimated to be 17 trips and the total PM trip generation is estimated to be 22 trips.

Table 3: Applegate Expansion Trip Generation

Land Use[1]	Number of Units	Unit Type	AM Peak Hour Trip Generation[2]	% Entering[3]	% Exiting[3]	Trips Entering	Trips Exiting	**New AM Peak Hour Trips**
Single-Family Attached Housing (215)	44	Dwelling Unit	17	25%	75%	4	13	**17**
Net Weekday AM Peak Hour Trips						**4**	**13**	**17**
Land Use[1]	Number of Units	Unit Type	PM Peak Hour Trip Generation[2]	% Entering[3]	% Exiting[3]	Trips Entering	Trips Exiting	**New PM Peak Hour Trips**
Single-Family Attached Housing (215)	44	Dwelling Unit	22	59%	41%	13	9	**22**
Net Weekday PM Peak Hour Trips						**13**	**9**	**22**

1. (XXX) Indicates ITE Land Use Code. Land Use Code from the Institute of Transportation Engineers - 11th Edition Trip Generation Manual (ITE Manual)
2. Traffic Generated by the development according to trip generation fitted curves provided in the ITE Manual
3. Percentage of trips Entering and Exiting the development according to the ITE Manual.

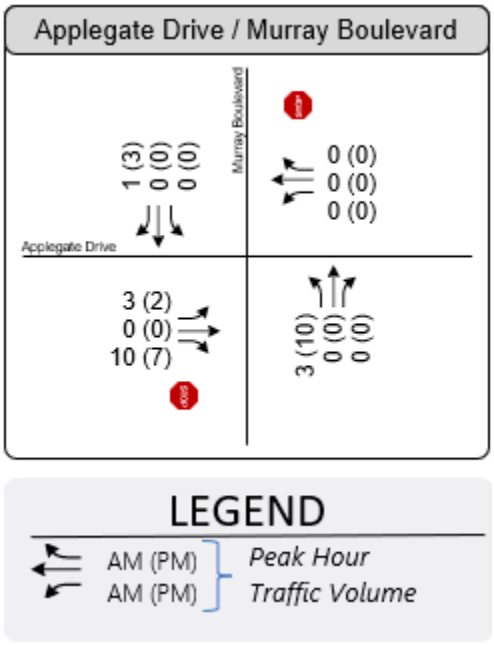
SOURCE: Fehr & Peers, 2022

Trips were distributed in the same proportion as in the original traffic study in 2019:

- 20% to/from the north via Murray Boulevard
- 80% to/from the south via Murray Boulevard

The resulting project trips at the intersection of Applegate Drive & Murray Boulevard are presented in Figure 2.

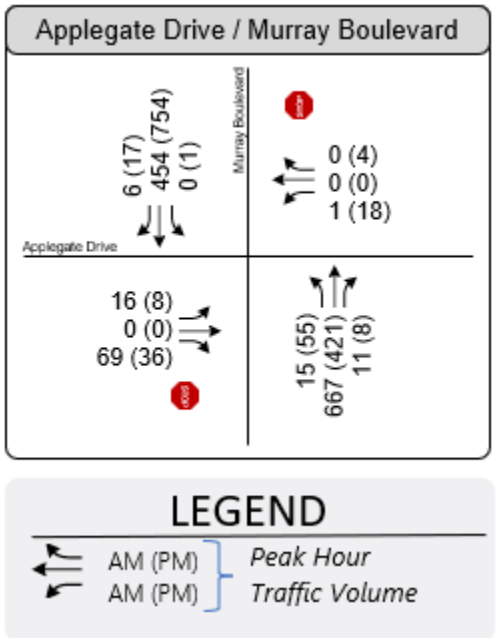
Figure 2: Project Volumes



Existing Plus Project

Fehr & Peers estimated the existing plus project volumes by adding the project trip generation volumes (Figure 2) to the existing volumes (Figure 1), as shown in Figure 3.

Figure 3: Existing Plus Project Volumes



Fehr & Peers used HCM 6 methodology to analyze queues at the intersection of Applegate Drive and Murray Blvd for both existing plus project AM and PM peak hours The queue analysis results are shown in Table 4, and the full Synchro reports are attached in the appendix. The results of the queuing analysis indicate that all studied movement have 95th percentile queues under one vehicle (or less than 25 feet), meaning that 95% of the time queues for each movement do not exceed one vehicle. Existing storage space for each of these movements is expected to be sufficient to handle these queues.

Table 4: Existing Plus Project Queue Analysis for Applegate Drive & Murray Boulevard

Movement	Period	95th Percentile Queue (veh)	95th Percentile Queue (ft)
Northbound Left-turns	AM	<1.0	<25
	PM	<1.0	<25
Eastbound Left-turns	AM	<1.0	<25
	PM	<1.0	<25
Eastbound Right-turns	AM	<1.0	<25
	PM	<1.0	<25

Conclusion

Fehr & Peers used TMC from 2019 and 24-hour tube counts from 2022 to estimate existing 2022 TMC at the intersection of Applegate Dr & Murray Blvd. These counts were used to perform a queue analysis for the intersection and found that in the existing conditions all 95th percentile queues were less than one vehicle. Fehr & Peers estimated traffic to be generated at this intersection due to the proposed addition of 44 townhomes and analyzed queues with the resulting traffic and found that projected 95th percentile queues were also less than one vehicle for each approach. Existing storage for these queues is expected to be sufficient for existing and existing-plus-project conditions.

Appendix: Synchro HCM 6 Reports

Intersection	
Int Delay, s/veh	1

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	13	0	59	1	0	0	12	667	11	0	454	5
Future Vol, veh/h	13	0	59	1	0	0	12	667	11	0	454	5
Conflicting Peds, #/hr	1	0	1	1	0	1	1	0	1	1	0	1
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	50	-	-	-	50	-	-	50	-	20
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	90	90	90	90	90	90	90	90	90	90	90	90
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	14	0	66	1	0	0	13	741	12	0	504	6

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1279	1285	506	1315	1285	749	511	0	0	754	0	0
Stage 1	505	505	-	774	774	-	-	-	-	-	-	-
Stage 2	774	780	-	541	511	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	143	165	566	135	165	412	1054	-	-	856	-	-
Stage 1	549	540	-	391	408	-	-	-	-	-	-	-
Stage 2	391	406	-	525	537	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	141	163	565	118	163	411	1053	-	-	855	-	-
Mov Cap-2 Maneuver	141	163	-	118	163	-	-	-	-	-	-	-
Stage 1	542	539	-	386	403	-	-	-	-	-	-	-
Stage 2	386	401	-	464	536	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	16	35.8	0.1	0
HCM LOS	C	E		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	EBLn2	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1053	-	-	141	565	118	855	-	-
HCM Lane V/C Ratio	0.013	-	-	0.102	0.116	0.009	-	-	-
HCM Control Delay (s)	8.5	-	-	33.4	12.2	35.8	0	-	-
HCM Lane LOS	A	-	-	D	B	E	A	-	-
HCM 95th %tile Q(veh)	0	-	-	0.3	0.4	0	0	-	-

Intersection	
Int Delay, s/veh	2.2

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	6	0	29	18	0	4	45	421	8	1	754	17
Future Vol, veh/h	6	0	29	18	0	4	45	421	8	1	754	17
Conflicting Peds, #/hr	3	0	2	1	0	2	2	0	1	2	0	3
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	50	-	-	-	50	-	-	50	-	20
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	80	80	80	80	80	80	80	80	80	80	80	80
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	8	0	36	23	0	5	56	526	10	1	943	21

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1597	1598	948	1621	1614	536	967	0	0	538	0	0
Stage 1	948	948	-	645	645	-	-	-	-	-	-	-
Stage 2	649	650	-	976	969	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	86	106	316	83	104	545	712	-	-	1030	-	-
Stage 1	313	339	-	461	467	-	-	-	-	-	-	-
Stage 2	458	465	-	302	332	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	80	97	314	69	95	542	710	-	-	1028	-	-
Mov Cap-2 Maneuver	80	97	-	69	95	-	-	-	-	-	-	-
Stage 1	287	338	-	424	429	-	-	-	-	-	-	-
Stage 2	417	427	-	266	331	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	24.3	69.6	1	0
HCM LOS	C	F		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	EBLn2	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	710	-	-	80	314	82	1028	-	-
HCM Lane V/C Ratio	0.079	-	-	0.094	0.115	0.335	0.001	-	-
HCM Control Delay (s)	10.5	-	-	54.6	18	69.6	8.5	-	-
HCM Lane LOS	B	-	-	F	C	F	A	-	-
HCM 95th %tile Q(veh)	0.3	-	-	0.3	0.4	1.3	0	-	-

Intersection	
Int Delay, s/veh	1.3

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	16	0	69	1	0	0	15	667	11	0	454	6
Future Vol, veh/h	16	0	69	1	0	0	15	667	11	0	454	6
Conflicting Peds, #/hr	1	0	1	1	0	1	1	0	1	1	0	1
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	50	-	-	-	50	-	-	50	-	20
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	90	90	90	90	90	90	90	90	90	90	90	90
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	18	0	77	1	0	0	17	741	12	0	504	7

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1287	1293	506	1329	1294	749	512	0	0	754	0	0
Stage 1	505	505	-	782	782	-	-	-	-	-	-	-
Stage 2	782	788	-	547	512	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	141	163	566	132	163	412	1053	-	-	856	-	-
Stage 1	549	540	-	387	405	-	-	-	-	-	-	-
Stage 2	387	402	-	521	536	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	139	160	565	112	160	411	1052	-	-	855	-	-
Mov Cap-2 Maneuver	139	160	-	112	160	-	-	-	-	-	-	-
Stage 1	540	539	-	380	398	-	-	-	-	-	-	-
Stage 2	380	395	-	450	535	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	16.6	37.5	0.2	0
HCM LOS	C	E		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	EBLn2	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1052	-	-	139	565	112	855	-	-
HCM Lane V/C Ratio	0.016	-	-	0.128	0.136	0.01	-	-	-
HCM Control Delay (s)	8.5	-	-	34.7	12.4	37.5	0	-	-
HCM Lane LOS	A	-	-	D	B	E	A	-	-
HCM 95th %tile Q(veh)	0	-	-	0.4	0.5	0	0	-	-

Intersection	
Int Delay, s/veh	2.6

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	8	0	36	18	0	4	55	421	8	1	754	20
Future Vol, veh/h	8	0	36	18	0	4	55	421	8	1	754	20
Conflicting Peds, #/hr	3	0	2	1	0	2	2	0	1	2	0	3
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	50	-	-	-	50	-	-	50	-	20
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	80	80	80	80	80	80	80	80	80	80	80	80
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	10	0	45	23	0	5	69	526	10	1	943	25

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1623	1624	948	1653	1644	536	971	0	0	538	0	0
Stage 1	948	948	-	671	671	-	-	-	-	-	-	-
Stage 2	675	676	-	982	973	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	82	102	316	78	100	545	710	-	-	1030	-	-
Stage 1	313	339	-	446	455	-	-	-	-	-	-	-
Stage 2	444	453	-	300	330	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	75	92	314	62	90	542	708	-	-	1028	-	-
Mov Cap-2 Maneuver	75	92	-	62	90	-	-	-	-	-	-	-
Stage 1	282	338	-	402	410	-	-	-	-	-	-	-
Stage 2	396	408	-	256	329	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	26	80	1.2	0
HCM LOS	D	F		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	EBLn2	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	708	-	-	75	314	74	1028	-	-
HCM Lane V/C Ratio	0.097	-	-	0.133	0.143	0.372	0.001	-	-
HCM Control Delay (s)	10.6	-	-	60.3	18.4	80	8.5	-	-
HCM Lane LOS	B	-	-	F	C	F	A	-	-
HCM 95th %tile Q(veh)	0.3	-	-	0.4	0.5	1.4	0	-	-

Agenda items 8 & 9
Applegate/Fuji

From:	Bruce Craig
To:	Planning Commission Comments
Cc:	brucecraig891@peoplepc.com
Subject:	Applegate LLC Subdividing inti two parcels located at 770West Applegate Drive Meeting Scheduled for June 15, 2023 @ 6:30pm
Date:	Saturday, June 3, 2023 8:44:43 PM

Dear Planning Commission; Dated 06/03/2023

In 2017 we had a bunch of new board members that were elected to our Applegate board, unrenowned to most all residents that they were a coupe members people that had bought multiple condos as rentals, with C.O.R.E. as our new Property Manager they were swayed to selling off some land to raise some money to help repair things around the complex, we had always used special assessments when doing so in the past had served on the board many times knowing what had to be done.
With the new board and C.O.R.E.property Management they convinced the board that we need so much money to do the repairs that scared them in to thinking that land had to be sold in order to make ANY REPAIRS WHATSOEVER .. is was and is called R & R's....there were mot enough votes to get it to go through so the board went door to door with Quinn (C.O.R.E. 's associate and Realtor knocking on doors and saying to residents that this was the answers to our prayers and solve so many problems, promising some no more condo fees, more amenities etc...BUT NOTING EVER ON PAPER, they's..the board and Qwinn would throw out a figure of 2 million dollars we could get but never told an exact amount and that in order to do this we had to move our cell tower... till last year we never knew how much that was and is in the $240.000/00 range and that we should cover that cost, so you take the $240,000.00 out of the 2 million dollars and were left with a million and a half and should this planned sale go through we would have to have new inlets, outlets, moved water, power, sewage etc...not to mention all disruptions of all of them in the process.
We already has WAY to much traffic, congestion, noise and beggars on the street, adding more in to this tight area would make it unbearable and ruin what little quality of life we have left, every nook and cranny of land around us has been crammed with more and more building and we need our breathing space which is what most all of us that live bought our homes hear and now that is being forced out of our hands by peoples greed for our land at almost free and taking control of land we should lease and control for Applegate ...NOT BUILDERS AND PROPERTY MANAGEMENTS to weasel away from us and never inform us of when meeting such as this come up and previous Applegae meeting are always cancelled prior to ant knowledge of such preceding, it's always a surprise to get a notice in the mail a few days prior.
With one vote on this matter over 5 yrs. ago and so many residents that have moved in-out and developers changing and nothing being on paper this matter should be dead and gone, there has never been a Applegate meeting stating what monies, criteria ongoing of who and what are be done, who's paying for what and what amounts we are to receive, IT'S BEEN NOTHING BUT VERBALE THIS AND THAT, AND I HAVE REQUESTED OVER AND OVER PUT IT ON PAPER AND MAKE IT LEGAL AND DISTRIBUTE TO EACH AND EVERY OWNER... BUT IT NEVER HAS BEE DONE IN OVER 5 PLUS YEARS NOW... it's all in their court to bargain away our land and rights with nothing on paper to protect US AND OUR PROPERTY.....WE BEING SHANGHAI'D AND MURRAY CITY IS LETTING THEM GET AWAY WITH IT....!
In the last 2 years our board and C.O.R.E. have done an $800 assessment, a $500 assessment taken cable T.V. out of our amenities with no replacement or reduction in our fees and then January 1st 2023 raised our condo fees 20%.. and yet nothing is being done to this so called sale goes through...we have be taken hostage and being forced in to this...it needs to be null and voided once and for all !

Applegate Resident since 1990
Bruce Craig
5365 So. Baldwin Park
Murray, Utah 84123-4501
Ph: 385-267-2223

Applegate/ Fuji Townhomes Public Comments via telephone

6/6/23 - David Schneider, 793 W Clover Meadow Drive. Inquired regarding which entity is the applicant? Reasons for proposal of private road vs public road? Who will share amenities? It was explained to Mr. Schneider the city staff is proposing a second emergency access gate at the Spring Clover connection. He indicated that is a good solution given the proposed gate off Murray Blvd.

6/7/23 – Linda Soldan, 5110 S Daisy Lane, called for further explanation of the proposed project. She expressed concern regarding added traffic to the area and heights of the structures.

Attachment D

MURRAY CITY PLANNING COMMISSION
FINDINGS OF FACT AND CONCLUSIONS

PROJECT NAME: Applegate Condominium Amended

PROJECT NUMBER: 23-052

ADDRESS: 770 West Applegate Drive (apx)

APPLICANT: Applegate LLC

APPLICATION TYPE: Condominium Amendment

I. REQUEST:

The application is requesting an amendment to the Applegate Condominiums to split out a 5.11-acre portion of land.

II. MUNICIPAL CODE AUTHORITY:

Section 16.04.040(F) and 16.12.070 of the Murray City Land Use Ordinance require the subdivision of property to be reviewed and approved by the Murray City Planning Commission as the Land Use Authority.

III. APPEAL PROCEDURE:

Municipal Code Section 17.16.30 provides details for requesting an appeal of the Planning Commission's decision on a land use application that is heard by the Hearing Officer. An application for appeal must be presented within 10 calendar days after the approval of these Findings of Fact.

IV. SUMMARY OF EVIDENCE:

A. The basic facts and criteria regarding this application are contained in the staff report, which is attached as **Exhibit A** and is incorporated herein.

B. The minutes of the public meeting held by the Planning Commission on June 15, 2023 which are attached as **Exhibit B** summarizes the oral testimony presented and are hereby incorporated herein.

V. FINDINGS OF FACT - SUBDIVISION AMENDMENT:

Based on the analysis of the proposed subdivision, review of the applicable land use and subdivision requirements, and a survey of the surrounding area staff concludes the following:

1. With conditions, the proposed subdivision can comply with the standards of the

Murray City Subdivision Ordinance.

2. With conditions, the proposed subdivision will allow for the sale of property which will provide for needed improvements to be made to the existing condominium units and property.
3. The proposed subdivision creates an opportunity for further residential development which is encouraged and supported by the 2017 Murray City General Plan in this area.

VI. CONCLUSION/RECOMMENDATION - SUBDIVISION AMENDMENT

The Planning Commission **APPROVED** the request for Preliminary and Final Subdivision approval for the Applegate Condominiums Amended Subdivision located at approximately 770 West Applegate Drive subject to the following conditions. The vote was 5-0 with Commissioners Pehrson, Nay, Patterson, Hacker and Richards in favor and none opposed. The approval is contingent on the following conditions:

1. The project shall meet all requirement of the Murray City Engineer, including the following:

a) Meet City Subdivision requirements – City Code Title 16.

b) Meet Salt Lake County's requirements for plat recording – reviews by Salt Lake County Surveyor's Office and Recorder's Office are required.

c) Meet Salt Lake County addressing requirements for street name and unit addressing – Fuji Avenue needs to be changed to Fuji Way or Fuji Drive.

d) Delineate and designate with dimensions, boundaries, courses, and address coordinates the proposed street. Suggest showing this on a 2nd sheet with a 1" = 40' or larger scale so that it's legible.

e) Dedicate the triangular piece of property that extends into Spring Clover Drive to Murray City.

f) Dedicate the strip or property south of Applegate Drive that extends into Murray Blvd.

g) Recommendation – work with the property owners at 5313 South Majestic Village Cir. and 839 West Spring Clover Dr. to clean up the property line discrepancies.

h) Show drainage easements in locations that have drainage facilities.

i) Meet City storm drain requirements, on-site detention and retention of the 80th percentile storm is required. Implement Low Impact Development (LID) practices.

j) Provide an LID and drainage summary report.

k) Sidewalks, pedestrian ramps, and crosswalks must meet current City and ADA Standards.

l) Meet city street standards – street grades should not be less than 0.5% and no greater than 10%. Tapers or smooth transitions should be provided street connections and curves should not impede line of site.

m) Meet City utility requirements and provide PUE's within and along the proposed street for proposed gas, electric and communication lines.

n) Provide full plan and profile drawings of the proposed street and utilities.

o) Provide emergency only access gate meeting Fire Department requirements at Fuji connection to Spring Clover Drive.

p) Provide new water, sewer and storm drain in Fuji.

q) Based on the proposed street geometry, provide a design speed and speed limit signs.

r) Provide stop signs, coordinate markers at all street intersections and no parking signs

along the proposed street.

s) Provide street lighting – show locations and type on site plan.

t) Develop a site SWPPP and obtain a City Land Disturbance Permit prior to beginning site construction work.

u) Obtain a City Excavation Permit for work in the City right-of-way.

2. The existing cell tower shall be relocated prior to recordation of the amended plat and prior to issuance of any building permits.

3. The applicant shall meet all International Fire Code (IFC) 2018.2021 along with National Fire Protection Association (NFPA) codes. Meet all standards including the number and placement of hydrants, adequate fire flow, and appropriate emergency service access and gates. See Department Comments for further details.

4. The applicant shall install and enforce "No parking" signage on Fuji Avenue for adequate fire safety access.

5. The project shall meet all Water, Wastewater and Power Department requirements.

6. The applicant shall install an 8-foot-high solid wall adjacent to any single-family dwellings and must be installed prior to construction of any new dwellings.

7. The sidewalk shall be extended to the property line on Gravenstein Park.

8. The applicant shall provide amended Declarations for both the Applegate Condominiums and the Fuji Townhomes that demonstrate the clear shared use, maintenance, and improvement of the existing clubhouse and pool, and that demonstrate the necessary shared access and parking agreements will continue in perpetuity. A copy of the recorded Declarations is required to be provided to the Planning Division.

9. The applicant shall prepare a Final Amended Subdivision Plat with complies with all requirements of the Murray City Land Use Ordinance and with Title 16, Murray City Subdivision Ordinance and meet Salt Lake County Recorder's requirements.

10. The amended subdivision plat shall be recorded within one year of the final approval by the Planning Commission or the subdivision plat approval shall be null and void.

VII. FINDINGS OF FACT APPROVED BY THE MURRAY PLANNING COMMISSION THIS 20th DAY of July, 2023.

_____, Chair
Murray Planning Commission

MURRAY CITY PLANNING COMMISSION
FINDINGS OF FACT AND CONCLUSIONS

PROJECT NAME: Fuji Townhomes

PROJECT NUMBER: 23-054

ADDRESS: 770 West Applegate Drive (apx)

APPLICANT: Applegate LLC

APPLICATION TYPE: Conditional Use Permit

I. REQUEST:

The application is requesting a conditional use permit for a 42-Unit Multi-Family Rental Townhouse project.

II. MUNICIPAL CODE AUTHORITY:

Section 17.120.030 of the Murray City Land Use Ordinance requires conditional use permit approval for Multiple-Family Dwelling (LU#1131) developments by the Planning Commission.

III. APPEAL PROCEDURE:

Municipal Code Section 17.16.30 provides details for requesting an appeal of the Planning Commission's decision on a land use application that is heard by the Hearing Officer. An application for appeal must be presented within 10 calendar days after the approval of these Findings of Fact.

IV. SUMMARY OF EVIDENCE:

A. The basic facts and criteria regarding this application are contained in the staff report, which is attached as **Exhibit A** and is incorporated herein.

B. The minutes of the public meeting held by the Planning Commission on June 15, 2023 which are attached as **Exhibit B** summarizes the oral testimony presented and are hereby incorporated herein.

V. FINDINGS OF FACT:

Based on the analyses of the Conditional Use Permit of the new multi-family leasing units for Fuji Townhomes and a survey of the surrounding area, staff concludes the following:

1. With conditions, the proposed multi-family project will comply with the standards of the Murray City Land Use Ordinance.
2. The proposed multi-family townhome units provide new and needed residential housing opportunities at appropriate density for the area, while providing improvements to

existing housing and needed infrastructure.

3. The proposed multi-family project is in harmony with the Future Land Use Map and the objectives and goals of the Murray City General Plan.

VI. DECISION AND SUMMARY

The Planning Commission **APPROVED** the request for a Conditional Use Permit to allow the proposed Fuji Townhomes located at approximately 770 West Applegate Drive subject to the following conditions. The vote was 5-0 with Commissioners Pehrson, Nay, Patterson, Hacker and Richards in favor and none opposed. The approval is contingent on the following conditions:

1. The project shall meet Murray City Engineering requirements including the following:

a) Meet City subdivision requirements and standards – City Code Title 16.

b) Meet City storm drain requirements, on-site detention and retention of the 80th percentile storm is required. Implement Low Impact Development (LID) practices.

c) Provide an LID and drainage summary report.

d) Storm drain detention and retention areas should not be used as dog parks.

e) Sidewalks, pedestrian ramps, and crosswalks must meet current City and ADA Standards.

f) Meet City street standards – street grades should not be less than 0.5% and no greater than 10%. Tapers or smooth transitions should be provided at street connections and curves should not impede line of site.

g) Meet City utility requirements and provide PUE's within and along the proposed street.

h) Provide plan and profile drawings of the proposed street and utilities.

i) Provide emergency only access gate meeting Fire Department requirements at Fuji connection to Spring Clover Drive.

j) Provide new water, sewer and storm drain in street and reconnect existing utilities to the new utility lines.

k) Maintain access and utility connections for the existing Applegate community.

l) Based on the proposed street geometry, provide a design speed and speed limit signs.

m) Provide stop signs and coordinate markers at all street intersections and no parking signs along the proposed street.

n) Provide street lighting.

o) Develop a site SWPPP and obtain a City Land Disturbance Permit prior to beginning site construction work.

p) Obtain a City Excavation Permit for work in the City right-of-way.

2. The existing cellular tower shall be relocated off the subject property prior to recordation of the Amended Applegate Subdivision and prior to issuance of any building permits.

3. The project shall meet all applicable Fire Code standards including number and placement of hydrants, adequate fire flow, and appropriate emergency service access.

4. The applicant shall install "No Parking" signage and be enforced on Fuji Avenue for adequate fire safety access.

5. The project shall meet all Water, Wastewater and Power Department requirements.

6. The applicant shall work with the Murray City Water Division to correct the design issues identified in this report.

7. The applicant shall install an eight-foot (8') solid masonry wall adjacent to all single-family dwellings.
8. The creation of the new parcel/lot on a private accessway prohibits any future potential subdivision for individual ownership (townhomes) per Section 16.16.090.
9. The applicant shall remove the dog park from the detention basin area.
10. The applicant shall provide an updated formal landscaping plan prepared and stamped by a licensed Utah Landscape Architect for all landscaping improvements on or associated with the project, meeting all requirements of Section 17.68 of the Murray City Land Use Ordinance prior to the first building permit submittal.
11. The applicant shall provide amended Declarations for both the Applegate Condominiums and the Fuji Townhomes that demonstrate the clear shared use, maintenance, and improvement of the existing clubhouse and pool, and that demonstrate the necessary shared access and parking agreements will continue in perpetuity. A copy of the recorded Declarations shall be provided to the Planning Division.
12. The applicant shall provide a copy of the recorded Reciprocal Easement Agreement to the Planning Division.
13. All new dwellings shall meet the maximum height of the R-M-15 Zone (Section 17.120).
14. The applicant shall provide complete plans, calculations, and soils reports for building permit submittals and to meet all Building Code requirements.
15. The applicant shall meet all of the R-M-15 Zone (Section 17.120) requirements.
16. The applicant/property owner shall obtain a business license for the rental units.
17. The sidewalk on the proposed (lot/parcel) shall be extended on at least one side of the private access on Gravenstein Park Drive.

VII. FINDINGS OF FACT APPROVED BY THE MURRAY PLANNING COMMISSION THIS 20th DAY OF July, 2023.

_____, Chair
Murray Planning Commission

MURRAY CITY CORPORATION

COMMUNITY & ECONOMIC DEVELOPMENT

Building Division 801-270-2400

Planning Division 801-270-2430

CONDITIONAL USE PERMIT

APPLICANT: FUJI TOWNHOMES
LOCATION: 770 West Applegate Drive (apx)
DATE: June 15, 2023
APPROVAL: Multi-Family Development – 42 Rental Townhomes, Project #23-054

The Murray City Planning Commission has approved your Conditional Use application. All improvements which are required by the Murray City Zoning Ordinance or Planning Commission action must be installed or arrangements for a Deferral Agreement must be made, prior to the issuance of any Occupancy Permit for the land being developed, or commencement of the approved Conditional Use. Any deviation from or amendment to the approved site plan must have Planning Commission approval prior to construction.

This Conditional Use approval is subject to other generally applicable Land Use Ordinance requirements and other Murray City Ordinances as administered by Flood Control, Fire Department, Engineering Department, City and County Board of Health, Water and Sewer Department, **Power Department, etc.**

1. The project shall meet Murray City Engineering requirements including the following:

   a) Meet City subdivision requirements and standards – City Code Title 16.
   b) Meet City storm drain requirements, on-site detention and retention of the 80th percentile storm is required. Implement Low Impact Development (LID) practices.
   c) Provide an LID and drainage summary report.
   d) Storm drain detention and retention areas should not be used as dog parks.
   e) Sidewalks, pedestrian ramps, and crosswalks must meet current City and ADA Standards.
   f) Meet City street standards – street grades should not be less than 0.5% and no greater than 10%. Tapers or smooth transitions should be provided at street connections and curves should not impede line of site.
   g) Meet City utility requirements and provide PUE's within and along the proposed street.
   h) Provide plan and profile drawings of the proposed street and utilities.
   i) Provide emergency only access gate meeting Fire Department requirements at Fuji connection to Spring Clover Drive.
   j) Provide new water, sewer and storm drain in street and reconnect existing utilities to the new utility lines.
   k) Maintain access and utility connections for the existing Applegate community.
   l) Based on the proposed street geometry, provide a design speed and speed limit signs.
   m) Provide stop signs and coordinate markers at all street intersections and no parking signs along the proposed street.
   n) Provide street lighting.
   o) Develop a site SWPPP and obtain a City Land Disturbance Permit prior to beginning site construction work.
   p) Obtain a City Excavation Permit for work in the City right-of-way.

2. The existing cellular tower shall be relocated off the subject property prior to recordation of the Amended Applegate Subdivision and prior to issuance of any building permits.
3. The project shall meet all applicable Fire Code standards including number and placement of

hydrants, adequate fire flow, and appropriate emergency service access.

4. The applicant shall install "No Parking" signage and be enforced on Fuji Avenue for adequate fire safety access.
5. The project shall meet all Water, Wastewater and Power Department requirements.
6. The applicant shall work with the Murray City Water Division to correct the design issues identified in this report.
7. The applicant shall install an eight-foot (8') solid masonry wall adjacent to all single-family dwellings.
8. The creation of the new parcel/lot on a private accessway prohibits any future potential subdivision for individual ownership (townhomes) per Section 16.16.090.
9. The applicant shall remove the dog park from the detention basin area.
10. The applicant shall provide an updated formal landscaping plan prepared and stamped by a licensed Utah Landscape Architect for all landscaping improvements on or associated with the project, meeting all requirements of Section 17.68 of the Murray City Land Use Ordinance prior to the first building permit submittal.
11. The applicant shall provide amended Declarations for both the Applegate Condominiums and the Fuji Townhomes that demonstrate the clear shared use, maintenance, and improvement of the existing clubhouse and pool, and that demonstrate the necessary shared access and parking agreements will continue in perpetuity. A copy of the recorded Declarations shall be provided to the Planning Division.
12. The applicant shall provide a copy of the recorded Reciprocal Easement Agreement to the Planning Division.
13. All new dwellings shall meet the maximum height of the R-M-15 Zone (Section 17.120).
14. The applicant shall provide complete plans, calculations, and soils reports for building permit submittals and to meet all Building Code requirements.
15. The applicant shall meet all of the R-M-15 Zone (Section 17.120) requirements.
16. The applicant/property owner shall obtain a business license for the rental units.
17. The sidewalk on the proposed (lot/parcel) shall be extended on at least one side of the private access on Gravenstein Park Drive.

Sincerely,

Jared Hall, Director
Community Development Planning Division

THIS LETTER CONSTITUTES THE CONDITIONAL USE PERMIT

PARTIAL TRANSCRIPT OF
MURRAY CITY PLANNING COMMISSION MEETING
AGENDA ITEMS 8 and 9
APPLEGATE CONDOMINIUM AMENDED
AND
FUJI TOWNHOMES

June 15, 2023
6:34 p.m.

PRESENT:
Chair Jake Pehrson
Commissioner Travis Nay
Commissioner Ned Hacker
Commissioner Marren Patterson
Commissioner Michael Richards
STAFF:
Zachary Smallwood, Senior Planner
Susan Nixon, Senior Planner
Mustafa Al Janabi, Planner 1
ALSO PRESENT:
Ryan Wallace, Applicant
Jared Hall, CED Director
G.L. Critchfield, City Attorney

Veritext Legal Solutions
calendar-utah@veritext.com 801-746-5080

June 15, 2023 6:34 p.m.

P R O C E E D I N G S

CHAIRMAN PEHRSON: Okay. Let's get started. Welcome everybody. I call to order the Planning City Commission Meeting. It is June 15, 2023 at 6:34.

UNIDENTIFIED SPEAKER: (Indiscernible.)

CHAIRMAN PEHRSON: I will try to speak as loud as I can into this thing.

I'm going to go through here--who's on the stand up here. Very far to my left we have Jared Hall. Next to him we have G.L. Critchlow. Then we have Commissioner Travis Nay. Next to him is Commissioner Ned Hacker. My name is Jake Pehrson. Commissioner Marren Patterson to my right, and then Michael Richards. And then we have Zachary Smallwood with staff, Susan Nixon and Mustafa Al Janabi (indiscernible).

(Requested portion of meeting begins as follows.)

CHAIRMAN PEHRSON: Okay. We're going to move to agenda items No. 8 and 9, and this is for the Applegate Condominiums Amended and Fuji Townhomes. And this will also be presented by Susan Nixon.

MS. NIXON: Thank you. I think it's what we're all here for, it looks like, tonight. So, thank

you.

This application is for Applegate Subdivision Amended--amend the Applegate Subdivision Condominium (indiscernible) for (indiscernible) vinyl and also for conditional use for Fuji Townhomes, which is a multifamily development proposal. The properties are generally addressed 770 West on Applegate Drive. Here's a prop--here's an aerial map of the subject property. It's currently 23.7 acres. The proposal is to split out a 5.11-acre parcel in order to develop 42 rental townhomes.

I--I did want to make a statement that it is the policy and practice of the Murray City Planning Staff that every application that comes in for subdivision or conditional uses is reviewed on its mer--on its own merit and we are--we take the application, review the code, discuss the issues or proposal of Murray City departments and then also take into account the surrounding area. With all that, we then come up with our staff report. And, again, they are all based on its own merits.

So having said that, this is (indiscernible). The property, as you see on the map above, is currently zoned RM15. The R-M-15 zone allows up to 12 acres--12 units per acre. This proposal, if it is

approved, would equal about eight units per acre, so it's under the maximums allowed. You can see that it's mainly surrounded by--the yellow area is a single-family residential area--being mostly surrounded by residential. And then to the east is the--the blue is office use and then the red and--red is--red and pink are commercial, and then the other one is R-M-15 similar zoning kind of in that brownish-grayish area--color.

Here are some photos of the Applegate community. These are on the perimeter of the property, so upper left is a view from Murray Boulevard looking into the community. And then, of course it's obvious, the Applegate sign there. And that's on the corner of 5400 South and Murray Boulevard. It's--I didn't say--it's on the north side of 53rd and the west side of Murray Boulevard.

And then, again, down in the lower left is a view--street view going into the project. And, again, on the right is just the corner intersection there, 53rd and Murray Boulevard.

These are photos from the--inside the community. They are--you can see there's some of the existing units. It does have a clubhouse on the upper right. Lower left is the back of the clubhouse and

the very far left of that photo is the tennis courts. And I think also where a cell tower is. And then the lower right is the end of Applegate Drive.

So this request is to, as I said, split off a 5.11-acre parcel from the 23.7-acre parcel of Applegate. Applegate is owned by Applegate HOA. The appli--applicant is Applegate LLC. They are two different and distinct entities.

So with this proposal they are--would realign what is now Applegate Drive. They would relocate it to the north and west and it would become Fuji Avenue, which is currently private and would remain private. Also with that they would relocate the utilities in Fuji Avenue. And--and with this request they are asking to connect Fuji Avenue to the west of the project to Spring Clover Drive, which is a public road.

Our code--when--when this project was built in the 1970s, we didn't have a requirement for so many accesses to developments. Since then we have adopted the code that mandates any multifamily projects that have more than 100 units must have at least two accesses. So that is why the applicant is proposing to connect to Spring Clover Drive in order to meet that requirement.

Also, again, to develop a 42-unit rental townhome project on the 5.11 acres. Both at--both the Applegate communities, if this is approved, will have vehicular, pedestrian and utility access easements--cross access easements. And that will be reciprocal access easements. We have a copy of that and that was given to the Planning Commission in our packets. And then both communities would share the existing amenities and the proposed amenities, and I'll cover those in a minute.

Just a little history on this property, since we've all seen this for--over the past five plus years. In 2018, the applicant applied to change the zoning. It was at that time R-1-8. It was actually nonconforming in the R-1-8. They proposed to change it to R-M-15, which is more in line with what it is.

And then during that process they--there is an existing cell tower on the site. Cell towers are not allowed in the R-M-15 zone. They were allowed in the R-1-8, so when the zoning was changed, the cell tower became nonconforming. In order for (indiscernible) nonconforming, you can relocate or expand or relocate on the same property, as long as it's on that same property. So the applicant applied for approval for an expansion and asked to relocate

that cell tower to a different location closer to 5300 South and Murray Boulevard.

In 2020, Applegate Condominiums received a preliminary subdivision community approval and conditional use by the Planning Commission. And the approvals are good for two years. The approval lapsed in June of 2022, and then this application was submitted for--to amend the condos and withdraw the 5-and-a-half--5.11 acres, and then also applied for the conditional use for the townhome rental units.

The 5.11 acres--on the right is the area of the existing Applegate community highlighted in green. And then on the left is the plat--I kind of wanted to line them up so you can kind of get an idea as to where it's located (indiscernible). So this area here that's got the little red perimeter around it, that is the 5.11 acres. And this has been skewed, so it's--I just wanted to get a comparison so we can get oriented where it's at.

Applegate currently has 172 condominium units that are individually owned. This proposal for the 42 units would be owned by one entity and they would be for rental units, so it would be a total of 214, if this is approved..

Site plan--I'm probably going to stay on this

site plan for a few minutes. So on the right hand is Murray Parkway, also 700 West. A lot of people refer to it as 700 West. They have access currently off of Murray Parkway onto Applegate Drive. The proposal would be to modify, reduce the width of Applegate Drive, which is currently about a 75-foot right-of-way--width--width right-of-way, down to about 43 feet. It also would be relocated to the north and west--west of where it currently is and would be reduced to about 43 feet. It would--the 43 feet would consist of six-foot sidewalks on each side and then two-and-a-half feet of rolled curb and--curb and gutter, and then 26 feet of hard surface, which is the minimum required by the fire department.

The units--there are some that you see is in blue and some in yellow. That is--just depicts the difference in the floor plans. That's really all that means, so... There are a couple of different floor plans that they've proposed with this.

So the proposal is for Applegate Drive to be relocated to what will be Fuji Drive, and then connect to Spring Clover Drive, which is over on the left-hand side of the map. And they are also proposing to have an access gate--showing up?--oh, okay, right here--an access gate located approximately at this location.

The access gate would be controlled--you would have to have a key fob or access code or transponder in order to get in and out of Applegate.

Proposal. The City had concerns with the connection to Spring Clover Drive and any impacts that would be to the residents or neighbors to the west--limited to the west. When we reviewed this it was--we decided, based on the traffic study--there was a traffic study in 2019 and again revised in 2022.

Based on the traffic study and the existing struc--streets to the west, we are recommending that an additional gate be installed at the connection of--at Spring Clover Drive--and it's not showing up yet. Here we go--at the connection where Fuji would connect to Spring Clover Drive. That gate would be emergency access only. It would fulfill the secondary access requirement, per our code, and the gate would be controlled by Murray City staff--Murray City, I should say, for emergency access only, so fire, police, and also for maintenance of the sewer cleanup or public services.

The traffic impact study that was conducted in '19 and again in 2022 indicated that there would be 5 to 10 percent traffic going to the west and--which is only equivalent to 20--60 to 100 cars per day.

Which doesn't sound like a lot, but when the residential neighborhoods to the west are already bogged down with traffic and a lot of them merge onto Halcyon--Halcyon gets bogged down with traffic and there are speeding concerns. I'm just glossing over the traffic issues. If the Planning Commission would like, the Murray City Senior Engineer is here tonight and he would expand on all the details of the traffic, if you'd like.

So (indiscernible) the next. All right. So on the left is the diagram of the Fuji Avenue connection to Spring Clover Drive. You'll see that there's this little triangular section over on the left-hand side. There--the boundaries overlap somewhat, and so those would need to be resolved with the recording of the plat.

Also, there is a section here that--where the connection to Fuji Avenue with Spring Clover, part of that would need to be dedicated to the City as part of that public road. And, again, this is also the same place that we are recommending that there be the emergency--emergency access gate at that location. On the right is the illustration showing approximately where they are proposing to have their access gate into the community.

This is the landscape plan. It does--it's not updated, so it shows more units than they're proposing, but it does have the correct configuration and the amenities shown on it, so I thought it would be important to do that, so... The actual units are different, so don't pay attention to that.

But it shows the configuration of the new Fuji Avenue. The new development would include a sports court, pavilions, barbeque area. And then they would also maintain the existing pool and clubhouse. All those amenities would be shared by both communities, the Fuji and the Applegate.

There is also--on the upper left there's--it doesn't like my finger. Anyway, No. 6 on that--right there. Okay. They have--they are proposing to have--they will need to have a detention pond there in order to meet the grade--drainage for the project. They have indicated--or they show on the plans that that would also be a dog park. And the utilities, water, sewer, engineering will now allow this, for various reasons. So they can't have an official dog park because it will be a detention pond.

CHAIRMAN PEHRSON: Can you clarify a few of those reasons (indiscernible). Natural curiosity, so... This is the first time I've seen

(indiscernible).

MS. NIXON: Dog waste. Dog waste, bottom line.

CHAIRMAN PEHRSON: Dog waste? Okay.

MS. NIXON: Yeah. The dog waste is not allowed to be part of that inte--sewer system--water and utility system.

CHAIRMAN PEHRSON: Okay.

MS. NIXON: So that would just need to be changed.

This--these are photos of the existing roads that are in Applegate. Again, I said that--they're really wide roads at 75 feet. The upper left shows the width--well, it's wide and it does have a median in between. It's landscaped, trees. It's beautiful.

On the right-hand side along the perimeter of the road are a combination of fences, walls. They range--there's some cinderblock to vinyl, I think to wood, to chain link. But there is an existing fence or wall along that perimeter there. I think it's generally six feet in height. And then also, lower right, you can see kind of the--the fencing there, again next to Applegate Drive.

Also the lower right you can see the existing adjacent residential homes. They are a little bit

lower in elevation. We--GIS and engineering department did review the existing elevations, just to kind of give you an idea of how Applegate relates to the residential neighbor to--neighborhood to the south and west. There is about a two to three-and-a-half-foot difference in grade. So the residential neighborhood is lower two-and-a-half to three-and-a-half feet.

The R-M-15 zone does have setback minimums. They are 25 feet rear and front, and then eight feet minimum on one side--a total of 20 between the two. Well, between--in this case, with 20 feet between the two--the buildings. And then the maximum height of R-M-15 is 40 feet. Their proposed dwelling structures, the max--the one that has the highest is 33-and-a-half. So they meet all the setbacks and height requirements of the R-M-15, and staff has no concerns with that.

And here are the floor plans. They're proposing to have two and three-bedroom units with basements. Some of them would have walk-out basements, depending on where they are situated on the site. They range from 1,654 square feet to 1,742.

The applicants are proposing to have a six-foot vinyl fence along the perimeter of the property.

And our code does allow, where there is a change in grade at the property line, the height can be measured from either side. So if, for instance, it's six feet on one side, it would be--could be eight on the other. And we do have that allowance that they can reach either.

I would prefer it if we would have got some kind of a rendering or elevation showing the difference in elevation existing from the residential to Applegate (indiscernible) the fence and how it would relate to that change in grade. But anyway, they are proposing to have a six-foot fence--vinyl fence.

Staff is recommending an eight-foot solid masonry wall. Projects that we have seen over the years, and several just--well, three or four just recently, we have proposed eight-foot solid masonry walls, which the Commission has also required that too (indiscernible). An eight-foot solid wall helps mitigate any impacts on adjacent neighborhood--the residential neighborhood.

Which you say, "Okay, well, what kind of miti--mitigating factors are there?" The existing subdivision--let me go back here. I'm going to go to the aerial here. Not the best--not the best photo,

but you can see currently the majority of Applegate Drive, the units that are to the north of that, north and east, have at least a hundred-foot setback from the residential neighborhood to the west. There are a couple of units down at the south end, down here off of Baldwin Park where they are about 40 feet from the property line. And then up in the far northeast corner here, there are about ten to 15 feet.

But the majority of the units are a great distance from the residential neighborhood. With the proposal, they would be 25 feet from the property line. So it does have an impact as far as the residential neighborhood to the west.

We--the proposed sub--townhome development does have connecting sidewalks where you could walk generally anywhere in--within the community. We are also requesting that there be a continuous sidewalk and that they include one on Gravenstein where there's not one now.

I'll talk about parking for a second. The R-M-15 zone--I'm going to go out--the R-M-15 zone requires two-and-a-half parking stalls per unit, and they are--with the proposed townhomes, they would have a two-car garage and then the ability to park probably two cars in front of the garages. So they meet the

requirements for the parking. And they also are going to provide an additional 35 parking stalls that are dispersed throughout the development, and those are mainly on Baldwin Park, Ben Davis, Rome Beauty and Gravenstein Park. So parking is not an issue. They-- they meet the code and staff has no concerns with that. Excuse me.

We did send out 502 sub--notices to the surrounding residents within 500 feet. We did receive a few emails and phone calls. I received an additional three today that I'll read into the record when it becomes the public comment portion.

So the findings for the conditional use or-- as shown above, we feel that with conditions the proposed multifamily project will comply with the standards of the Murray City land use ordinances and the proposed Murray family townhome units providing new and residential housing opportunities at appropriate density for the area, while providing improvements to existing housing needed infrastructure, and that the proposed multifamily project is in harmony with the future land use map and objectives of the Murray general plan.

Since this is two applications, it's for the subdivision amendment and the conditional use, if the

Planning Commission chooses to take action on this, we are recommending that the--that they grant preliminary a final subdivision amendment to the Applegate Condominiums, subject to the conditions shown above. And then we are also recommending that the Planning Commission approve a Conditional Use Permit for the Fuji Townhomes, subject to the conditions shown above.

And I think I covered most everything, but I'm happy to answer any questions.

CHAIRMAN PEHRSON: Thank you. What questions does anyone have for Susan?

(No audible response.)

CHAIRMAN PEHRSON: None? Okay. Seeing none, I think we will have the applicant, a represent--representative of the HOA--Applegate HOA come up. And please state your name and address.

MR. WALLACE: So the applicant and the HOA are two separate--do you--would you prefer one before the other or--

CHAIRMAN PEHRSON: Well, let's have the applicant come--it says applicant is the HOA.

MS. NIXON: Applegate LLC is the applicant, and this is Mr. Wallace. He is the--

MR. WALLACE: Yes.

MS. NIXON: --representative for the

applicant.

CHAIRMAN PEHRSON: I see. But is there two people that will be--

MR. WALLACE: Yes. So I'll be representing the applicant and then the HOA president, I believe, is here and is going to speak on behalf of the HOA board.

CHAIRMAN PEHRSON: Whoever's going to represent this application, that's who we want right now.

MR. WALLACE: Okay. That--

CHAIRMAN PEHRSON: How about--

MR. WALLACE: That will be me.

CHAIRMAN PEHRSON: Okay.

MR. WALLACE: So, awesome. Ryan Wallace, 2659 West Constance Way in South Jordan.

CHAIRMAN PEHRSON: Thank you. And have you had a chance to review all these conditions?

MR. WALLACE: We have.

CHAIRMAN PEHRSON: And are you willing to comply with all of them?

MR. WALLACE: There's a few that we have concerns about.

CHAIRMAN PEHRSON: Okay. Well, what--what would you like to tell the Commissioners?

MR. WALLACE: Yeah. So just to start, we--we appreciate the staff's recommendations and--and the recommendation for approval. We know this is--as you went through with the timeline, this has been a long process and we understand the difficulties that come because of the kind of protracted timeline.

And as you'll hear, the--the Applegate board is supportive of this. The applicants have gone through the appropriate process to receive approval, as required by Utah law, to purchase this property from the--the association. There was--there was a vote to approve this on--on behalf of the Applegate residents, and we're now here to try to make this work and--and to pay attention to the specific standards and code sections and requirements that the City can impose and--and would like to impose on this--on this development.

So the first one that we're concerned about is requirement 1(h) in the Conditional Use Permit application. And I think it's condition 1--1(o) in the subdivision application regarding the gate.

So we've done the traffic analysis--well, had professionals do the traffic analysis. That's not something I do myself. But the traffic impacts to--as we've gone through this process, the--the largest

concern that we got from the City and from City staff regarding traffic, was traffic flowing down out of the neighborhood onto--I think it's 700 East [sic] there, and the traffic that that could cause to kind of overload if the neighborhood was to go through the Applegate development. And that was the biggest kind of concern and pushback.

So in order to alleviate that, we proposed the gate, in order to limit it to just those Applegate resi--residents, so that the traffic impacts down onto that intersection wouldn't be--wouldn't overwhelm the system. And so that's--that's where the gate came from, the prem--the main reason that we were wanting to put the gate in there.

Once we did that, we looked at putting gates on both the--closer to the Spring Clover Drive and the place that we put it in the application. And initially, we--we preferred to put it down by Spring Clover Drive, so it would be just kind of a cleaner separation between the HOA Applegate development and the neighborhood.

However, as you could see on that--that area, that--that kind of neck of--neck of the property and the--that abuts into the existing roadway is very narrow. And trying to get a turnaround--a hundred-

foot fire code compliance turnaround up in that section was--was very difficult from an engineering standpoint and--and it just ultimately didn't work and this worked a lot better.

And so obviously moving the gate down close to Murray Parkway, we want to make sure that we're not creating different traffic issues, not down there onto Murray Parkway, but instead don't want to create traffic issues going through the neighborhood. And so we had the traffic--our traffic engineers take a look at it, and they provided a supplemental memorandum that discusses the--the number of trips daily, as well as kind of the peak-hour traffic through those--through the neighborhood.

And although they did not do a kind of comprehensive analysis on the neighborhood as a whole, they were conservative in their approach. They think that the actual traffic will be significantly less than 10 percent, just given the--the direction and the--the kind of main connector roads. It doesn't make a lot of sense to send significant traffic through that neighborhood.

And so we think that it's much closer and more likely to be on the 5 percent side. And with that, I think in peak hours--I have the memorandum

here--it was four during the A.M.--four trips during the A.M. peak hour and six during the P.M. peak hour with the 5 percent. If you take the more conservative approach, which we want to be prudent, it's seven during A.M. peak and 11 during the P.M. peak hours.

And so based on the traffic analysis we've seen, putting the gate where it's located doesn't create undue traffic burden on the surrounding neighborhood, on the road system, and we--we--given that there isn't any evidence or proof of that--of--of significant impacts to traffic, we--and given that putting a gate with a hundred-foot turnaround up there in that narrow strip of property isn't feasible, we would ask that we be allowed to proceed with the one gate.

So that's--that's the first issue. And maybe before we move in--onto the other one, if there's questions or comments or concerns about that.

COMMISSIONER NAY: So--so you're allowing--if--if--if the gate's not there, you're allowing the residents to come through your project?

MR. WALLACE: Well, if there weren't any gate whatsoever, then, yes. But we got feedback from the City that that's not tenable due to traffic onto Murray Parkway. And then that's why we put the gate

there.

COMMISSIONER NAY: I--I--I think in this type of neighborhood, with the elementary school just around the corner a few streets, I think the conservative numbers are probably--probably off. We know what happens in and around our elementary schools. We have problems with multiple elementary schools in this area, the drop-off and pickup times and the way it impacts to the neighbors that maybe do or don't have kids. It's fairly significant. We've seen that project after project that we've dealt with. And so I think that the amount of traffic that this would generate may surprise you.

And additionally, you know, Murray Parkway is--as everyone in this room will shake their head, Murray Parkway at peak hours is just an abysmal road to be on. And until significant improvements come from the City, it's going to continue to be an abysmal project to be on.

Having your neighbors trying to exit out, do a left-hand turn down Murray Parkway and trying to get to the elementary schools is going to be a very, very challenging proposition based on--on the--what I see is the current setup and system in that area.

I'll let you continue.

MR. WALLACE: Okay. Yeah. Just in response, the--the traffic studies that we've had were done by professionals that--that gave their per--

COMMISSIONER NAY: I understand.

MR. WALLACE: --professional understanding.

COMMISSIONER NAY: Understood. Yeah.

MR. WALLACE: And as an attorney, I don't have that expertise, and so the best I can do is rely on the evidence we've been provided that we've submitted to the City, and that we haven't received any objections to. So we're--we're proceeding on that basis.

COMMISSIONER NAY: Yeah. Eventually I'd like to hear from the traffic engineer.

MR. WALLACE: Okay. Any other comments on the gate?

(No audible response.)

MR. WALLACE: Okay. The second concern we have is the--the requirement for the masonry wall and the height of eight feet, requirement No. 7 in the Conditional Use Permit, and No. 6 in the subdivision application.

The--our main concern is that an eight-foot masonry wall, there's only one instance that we could find that that's allowable under Murray City ordinance

and is required under Murray City ordinance, and that's where there's a commercial property abutting a residential property. It requires, and it's--it's not a "may" or a "can," but it's "shall" language in there, that a commercial development next to a residential development must have an eight-foot tall masonry wall.

Other than that, if you look at residential by residential development, it's almost uniformly six-foot high and does not specify a specific material. And so as we were looking at the application, we were a bit concerned and questioned why we were being treated as a commercial development when that's not the case. And so that's where we came back with the six-foot tall vinyl fence.

We understand that under the conditional use permitting statute in Murray City that there can be additional screening required and--but it has to follow the conditional use standard of identifying detrimental impact specific to this project, and then stating why the--the conditions that are created are reasonably tailored in order to mitigate those detrimental impacts. And it has to apply to applicable standards that are outlined in the--the City ordinance. And we--we just haven't seen any of

that.

And so if the--where--if we were to develop this kind of as a permitted use in a permitted zone with residential next to residential development, we would actually be prohibited from developing--putting in an eight-foot tall fence or wall. And there isn't any requirement for masonry. We're--we're curious as to why that requirement is being imposed beyond what the law permits and--and in fact don't think that that's allowed.

And particularly with--with the vinyl fence, as opposed to a masonry wall, if we're talking about sight and sound screening, which we understand is--is an important consideration when--when trying to minimize the sightlines and impacts on the surrounding neighbors, there--there really isn't a significant difference, given the--the nature of the neighborhood and the existing Applegate development, between masonry and vinyl.

And then finally, I went and drove up near the--the development this morning and took a look at the fences. It's almost all chain-link fences and wooden fences currently. And so the--the concerns that--in the code it says that it must match the existing character and nature of the neighborhood. We

think that a--a vinyl fence meets that criteria.

Questions regarding that requirement?

COMMISSIONER NAY: The Broad Ash project on 53rd was residential to residential. What did we require for that?

MS. NIXON: For which--which one?

COMMISSIONER NAY: The Brad Ash on 53rd and just to the east of this project.

MS. NIXON: Oh. So that was--

COMMISSIONER NAY: Brad Reynolds. Sorry.

MS. NIXON: Brad Reynolds. Sorry. So we did have--require an eight-foot along 53rd South because that's an arterial road. We--

COMMISSIONER NAY: Did we drop it to six foot on the--

MS. NIXON: Six foot on the--yeah, on the north (indiscernible).

COMMISSIONER NAY: And what about his other project--Brad Reynolds' project on Winchester and--

MS. NIXON: That one was an eight-foot along the--Winchester Street. But with all our other projects--again, I want to emphasize that we--rather than tit-for-tat back and forth of which projects we've required or not--and I do have a list of some that require eight-foot, and I'm happy to share that

with you--again, we're reviewing this on its own merit and the impacts to the surrounding area.

But, yes, we did require eight-foot solid wall on the Van Winkle Apartments that were approved in 2019--up on 4700 South 900 East, Murray Heights, eight-foot solid fence along--adjacent to the residential. And then Bullion Place, we only required a seven--six-foot solid. However, the reason it was only a six-foot was because there was over a 100-foot setback from the adjacent residential neighborhood.

COMMISSIONER NAY: Yeah. We're definitely moving residential units. And--and a larger number of residential units. It looks about to be three-and-a-half to four units per home that already exists in this area. And I think that is--I think there's significant encroachment on--on that setback that they have traditionally enjoyed back into the '70s. And so I think that that does serve as a detriment to the neighborhood and I think it is something that needs to be mitigated.

Now, do I think that it has to be solid versus vinyl? I don't know that I have a real strong opinion there. But I do believe the height is something that needs to be considered seriously.

MS. NIXON: There is also the portion--

section of the code where we have exception for properties that exceed one-half an acre--one-half acre in size.

COMMISSIONER NAY: And automatically have an eight-foot--

MS. NIXON: Yeah.

COMMISSIONER NAY: Yeah.

MS. NIXON: Yeah. And I also didn't mention the Mercantile Towns which was approved just this year--in April of this year, we proposed an eight-foot solid wall adjacent to the residential neighborhood. And the Planning Commission was actually in favor of that and then the neighbors came and had a back and forth, back and forth. And they actually wanted a six-foot, but we had proposed the eight-foot.

COMMISSIONER NAY: And it certainly is within our discretion to--

MS. NIXON: Yes. Yes.

COMMISSIONER NAY: --recommend an eight-foot fence--

MS. NIXON: It is.

COMMISSIONER NAY: --as a mitigating factor.

COMMISSIONER MILKAVICH: Can you (indiscernible) Boyer project was residential to residential?

MS. NIXON: Yeah. That was--that was the Mercantile Towns.

COMMISSIONER MILAVICH: That's Mercantile?

MS. NIXON: It was approved in April this year. And that--that zoning, very similar, was R-M-15.

COMMISSIONER MILAVICH: Yeah. They were adding a lot to be right up against--except they had a lot more buffer--

MS. NIXON: They did.

COMMISSIONER MILAVICH: --between where those houses were--

MS. NIXON: Yes.

COMMISSIONER MILAVICH: --already. Yeah. Okay. Thank you.

COMMISSIONER HACKER: You were talking about existing conditions, the chain-link fence, as you said, since Applegate's been there and the residents to that side have existed, it's been that, agreed. However, what's been in the backyards of those residents was the Applegate Road and--and open space.

So if that was staying the same, I would tend to agree with you, but we're changing the use there from the road--open space to having additional residences on that side of the fence, so I think there

is some--some good reason and perhaps some precedent, as we said, to have a higher fence there, and other than a chain link. And I agree with Commissioner Nay, whether it's eight-foot masonry or vinyl can be discussed more.

MR. WALLACE: I under--or thank you for those comments. And just a couple additional thoughts.

With the--the City is wholly within its--its discretion, through the legislative process, to require higher fences or masonry walls through the leg--through the legislative process on multifamily developments, if it so desires. You could say multifamily homes, you have to surround those with higher fences, it has to be masonry. That's fully in the City's discretion.

But here, where it's a residential next to a residential, and the applicable standards require that it's either done compliant with the Murray City code, which doesn't allow for eight-foot fence except for perhaps on properties greater than a half-acre--but in that instance it's a--the applicant may construct it, not an applicant shall. It's not a--a required obligation.

And if the City does want to proceed down that route, to require a higher fence and make a

distinction between a vinyl versus a masonry fence, it need--just needs to go through the proper process of specifically identifying on the record the detrimental impacts that are--are specific to this application and then state why the--these narrowly tailored conditions mitigate those impacts, according to applicable standards in the code.

And it's--it's important to understand that with city ordinances, because they are a--in--in Utah law they've been described as a derogation of property rights of individuals, that they have to be narrowly tailored to--and any ambiguity or lack of specificity needs to be interpreted on behalf of the property owner and applicant. And so unless there are specific statutes or--or ordinances that allow for a requirement of a greater fence and masonry, it's just not something that--that legally the City can require.

COMMISSIONER NAY: An appel--appellate court can figure that out for you.

MR. WALLACE: Uh-huh. Absolutely. And we understand that, and--and the process, for sure.

Next, the dog park requirements. So the main concern with the dog park is the water quality.

MS. NIXON: You know, I'm not the utility, but, yes, the water quality. From what I understand,

it's the dog waste--

MR. WALLACE: Uh-huh.

MS. NIXON: --would go into the City system.

MR. WALLACE: Okay. And I--you have to excuse me. Is there a connection from the detention pond into the--the City sewer, or is it just a detention pond where the water goes and--

MS. NIXON: It--it does retain the water for a certain amount of--our city engineer could probably--

MR. WALLACE: Okay.

MS. NIXON: --answer more spec--specificity on that question.

MR. WALLACE: Yeah. We're--we're just a--a little confused just because a specific reference to ordinances or applicable building codes wasn't cited for that specification. And so we would just like to see that to make sure we can comply.

MS. NIXON: Okay. I'm sure--I'm sure we could get that done, but I don't--I'm not the expert on that, but--

MR. WALLACE: Thank you.

MS. NIXON: --that's from the utility department.

MR. WALLACE: Thank you very much.

MS. NIXON: Uh-huh.

MR. WALLACE: Street naming, I think that we're fine with that condition. This is--it's 1(c) in the subdivision. We have no problem complying with the county naming standards. The--the only thing that we had a little concern with, that it specifically named two specific road names, that it had to be Fuji Way and Fuji Drive. And we think that those may--we just haven't looked at the county naming standards close enough so that we can say yes for certain it will be this one of those two things, and that does comply with the county ordinance.

So as long as the requirement is to comply with county ordinances rather than saying that it has to be those two specific names, then we're--we're fine to comply with that.

UNIDENTIFIED SPEAKER: Which--which condition was that?

MR. WALLACE: That was 1(c) in the subdivision.

UNIDENTIFIED SPEAKER: C.

MR. WALLACE: So maybe just strike the--the requirement for specific names.

And then last is the dedication of property for that area. We're--as you can see, those two

triangles are currently occupied by--there's two neighboring residences, one that's the backyard and one is the front yard, and then the portion that is there on Spring Clover Drive. And we're--the applicants are--are happy to dedicate and convey those properties to the surrounding neighbors and--and to make that all lined up. Because it currently is a little bit of a problem right now because there's fences extending over that. And we--we'd like to clean that up.

The only thing that--the only concern we have is with the existing fence kind of along Spring Clover Drive. We need to make sure that it comes out in order to allow the full right-of-way to connect up to Applegate Drive, which means the--both the--the roadway up as designed on the plan and the sidewalk. We want to make sure that there's a continuous sidewalk. Because right now I think the sidewalk ends at the property line.

MS. NIXON: Yeah, I think that's right.

MR. WALLACE: And so we just want to make sure it--it matches up. And so we're happy to do that, as long as we can make sure we have cooperation kind of with all the impacted parties there to--to match that up.

MS. NIXON: I--I'm sure the city engineer would be happy to make that connection so--

MR. WALLACE: Perfect.

MS. NIXON: --it's a smooth transition.

MR. WALLACE: Excellent.

Those are kind of our only concerns with the requirements and conditions imposed, and so hopefully can be taken under consideration and--and hopefully we can work together to make this happen.

CHAIRMAN PEHRSON: Okay. Thank you. Thank you.

MR. WALLACE: Thank you. Any other questions?

(No audible response.)

CHAIRMAN PEHRSON: Great.

MR. WALLACE: Thank you.

CHAIRMAN PEHRSON: Appreciate you.

Does anybody--before you have the city engineer come up, we'll have (indiscernible). Anybody else on staff have any comments they want to make before we have him come up?

(No audible response.)

CHAIRMAN PEHRSON: Okay. Could we have the city engineer come up and just state your name and your position with the City.

MR. ZAWISLAK: I am Chris Zawislak on behalf of the city engineer. I'm the senior engineer at Murray City--

CHAIRMAN PEHRSON: Thank you.

MR. ZAWISLAK: --and I'm happy to address your concerns and comments.

If I may, just real quickly, from the applicant's point of view, the storm drain does tie into the City storm drain system that dumps into the Jordan River. That is our concern. We are permitted by the state to ensure storm water quality.

CHAIRMAN PEHRSON: Thank you.

MR. ZAWISLAK: Is there any questions?

CHAIRMAN PEHRSON: Does anybody have any questions specifically to--

COMMISSIONER NAY: Traffic study.

MR. ZAWISLAK: Yes?

COMMISSIONER NAY: Do you want to kind of give us your opinion, impression of--of the traffic study?

MR. ZAWISLAK: Yeah. So one--the applicant did address the concerns coming from--to and from Murray Parkway/700 West by adding the gate there on the east side. It is the opinion of the city engineer and of this traffic engineer, myself--just so you

understand, I am also on the traffic safety committee and am studied in traffic engineering. We're a jack of all trades, but my emphasis is traffic engineering.

The city engineer feels that we are okay with the gate on the east side, but would request an additional emergency only access gate on the west side as it ties to--what's the name of the road? Sorry. --Spring Clover. Excuse me. We do appreciate the access and working to get pedestrian access connected in that way is great.

We do feel that--as Commissioner Nay had stated, that there is additional traffic that happens with the school that we are concerned about. There are about 340 homes that generate over 3,000 trips in the neighborhoods that surround this--this proposed development and the existing Applegate. Give or take, it splits--if you are to assume--50/50.

We did a recent speed study on Murray Parkway, which is River--also called Riverside Drive--to the west. That is a neighborhood collector from Halcyon, Sunberry, et cetera. We received about 1,550 vehicles. And that was outside of the school hours, but that's the--the average daily traffic. So obviously, there might be more during the school year. It is on the other side. Likewise, on the other side,

if you are to assume over 3,000 daily trips, you'd probably say about 15, 1,600 coming down--pardon me. I always get the name wrong, whether--Germania. Thank you.

So we--those two streets are ones that we have repetitive complaints about speeding, about too much traffic. And we really have a lot of congestion issues that--particularly off Germania from the school. We feel that though even if--from the conservative, five to seven--5 to 10 percent would be coming from the subdivision. We are still tying what is essentially from Applegate a neighborhood collector into a local street, being Spring Clover.

So streets such as Germania and Riverside Drive, those are collector roads. I don't think I'd see much of an objection if we're tying a neighborhood collector into a neighborhood collector. We're going from a neighbor--from a neighborhood collector from this whole subdivision of (indiscernible) into a smaller local road. That is the concern and that is why we feel that an emergency gate will be best. It provides the secondary access that is required and, you know, minimizes the impact to the adjacent neighborhoods.

Albeit, it could be 60 to 120 vehicles a day,

per the traffic study presented in the most recent memo. There's a recent ongoing study in traffic management--basically, traffic flows like water; it follows a path of least resistance. And it also fills whatever way you have. So if you were to restrict both sides on the east side of the gate and people can't--be it visitors, deliveries, et cetera, there's more likelihood that they would use the west access rather than--and by restricting that, we feel we can protect the neighborhood from additional traffic and further complaints.

CHAIRMAN PEHRSON: Thank you. And if you--does anybody else have any questions?

(No audible response.)

CHAIRMAN PEHRSON: I appreciate you. Do you have anything else you'd like to mention?

MR. ZAWISLAK: And thank you for (indiscernible).

CHAIRMAN PEHRSON: Okay. Anybody want to discuss anything before I open the public comment period? Now would be the time; otherwise, I'll do that.

UNIDENTIFIED SPEAKER: Are we taking both sets of public comment or are we going to do two separate public comments?

MS. NIXON: I did (indiscernible) let me-- (indiscernible).

UNIDENTIFIED SPEAKER: Yeah, I think we're going to do both.

CHAIRMAN PEHRSON: Okay.

COMMISSIONER MILKAVICH: I guess maybe I have a question. I don't know if this is the time to ask it, but it seems to me that if they just put the gate on Spring Clover, it protects the neighborhood and then they would be choosing to put the gate on Applegate Drive. Is that how other people are understanding this?

UNIDENTIFIED SPEAKER: Yes.

COMMISSIONER MILKAVICH: Yeah? Okay. Okay. Just to--I mean, maybe that's, like, a silly question, but I guess that--yeah. Okay.

UNIDENTIFIED SPEAKER: And, you know, there's been studies that have shown that gated communities aren't really safer communities. It does limit vehicular access, but it doesn't reduce crime. It doesn't--

COMMISSIONER MILKAVICH: Right. If we're-- if--if the--like the traffic engineer said, if the goal is to protect the neighborhood, then--then we just need--I mean, the--

UNIDENTIFIED SPEAKER: The--the west (indiscernible).

COMMISSIONER MILKAVICH: --the gate that does--on the west end does that.

UNIDENTIFIED SPEAKER: Yes.

COMMISSIONER MILKAVICH: And it doesn't necessarily help at all to have the gate on.

UNIDENTIFIED SPEAKER: Yes.

COMMISSIONER MILKAVICH: Okay. Okay. Thank you. Just to make sure I understand.

CHAIRMAN PEHRSON: Okay. Susan, are you going to want to read your comments first in the public comment period?

MS. NIXON: Yeah, whatever you prefer I can.

CHAIRMAN PEHRSON: I don't think I care, so... I'll go ahead--well, I'll go ahead and open it, and then I'll let you read the comments and then we'll invite everybody else up. How about that?

Okay. So we're going to open up the public comment period. Again, if you'd like to make a comment, you're going to come up to the podium and state your name and address. We're going to let Susan read some public comments that we've received.

MR. WALLACE: Did you want to have the Applegate HOA president come up?

MS. NIXON: Well, are they part--would they just be making a public comment or--

MR. WALLACE: Yeah. I guess--

MS. NIXON: They're not part of the application.

MR. WALLACE: Okay. Yeah.

CHAIRMAN PEHRSON: Please keep your comments to three minutes. If you're watching remotely, again the email is planningcommission@murray.utah.gov. And that is the only way you can make a public comment if you're watching remotely.

And just so everybody's aware, when you come up to the podium and you state your comment, we are not going to address that immediately while you're up there until we close the public comment period, and then we may address it. So let's start with Susan and then as soon as she's done, the public is welcome to come up. And, please, if you don't have a piece of paper that--on the back table, please grab one and fill out that information. And you can just drop it off right up here after you're done with your comment.

Susan?

MS. NIXON: Okay. The three that I received today, if they're in the audience, we're going to read your comments. Then, per our policy, you're not

allowed to make comments at the end. So if there's anybody here that's emailed it in, let me know and choose one way or the other.

Okay. So the first one we received from Vicki Bateman. "I am contacting you concerning the rentals that are proposed to go on Applegate property. I have lived here for 19 years and bought my condo here"--

UNIDENTIFIED SPEAKER: (Indiscernible.)

MS. NIXON: Oh. Thank you.

Okay. This is from Vick--Vicki Bateman, and I received this this morning. "I am contacting you concerning the rentals that are proposed to go on Applegate property. I have lived here for 19 years and bought my condo here because it is a nice location and this is" the condo--"and this is condos and homeowners, not rentals. I never thought I would have to worry about a bunch of rentals"--"a bunch of rentals would be built here.

"This is supposed to be a condo complex, not an apartment complex. This is happening because of the realtor Quinn & Mark Corp. HOA and my opinion is that they are all about just money and don't care about any of the homeowners. This was completely hush-hush until" Mon--"until Murray sent the letter of

notice. The board nor the HOA never let us know anything until we received the letter from Murray.

"We were supposed to have a meeting on May 3rd and it was canceled. I got suspicious" then and something was--"that something was going on. This is the reason I don't trust the HOA. All they want is to get their money and could care less about what we want. I am sick and tired of the HOA doing as they please without considering the homeowners. I just want to know how we can get help from someone who protects homeowners and cares about the homeowners.

"This is my home and I paid for it and the last thing I want is for rentals to come into the complex. My opinion is that we are being taken advantage of by the crooked people. Thank you for your time and consideration."

The next one is from Dave and Kathy Chapel. "To the Murray City Planning Commission. My wife and I have major concerns regarding the realignment of Applegate Drive connecting to Spring Clover Drive.

"In the spring of 1979, my wife and I bought Lot 57 which is located at 868 West Spring Clover Drive of the Clover Crest No. 3 subdivision." We are looking for a locat--"We were looking for a location centrally located in the valley and found Murray to be

an excellent community to build a home and raise a family. The subdivision was scheduled with only a few access roads in and out, making it a perfect location to start a family. Spring Clover Drive"--"Spring Clover Drive was and still is what we would call a side street within a subdivision, keeping traffic to a minimum.

"The Applegate Condominiums were built in 1973, six years prior to our purchase of our lot. The developers and owners of Applegate Condominiums should have thought of the connection to Spring Clover Drive back from the street and Clover Crest No. 3 Subdivision was in the planning stages, long before now and before our home and dozens of other homes have been built. That connection would have made a difference in our decision to buy the lot and build our home.

"We have no problem" with connection to Spring Clover Drive if it is gated--let's see. "We have no problem if the connection to Spring Clover Drive is gated and is for the purpose of providing ingress and egress to our local fire and safety personnel. That makes sense and should have been done a long time ago.

"If the Planning Commission decides to

approve the connection to Spring Clover Drive, we ask that they do so with the stipulation that the connection be gated with an" automatic--"automated gate system and only that the residents of Applegate, as well as our fire and safety personnel, can enter or exit from.

"We see the traffic on 700 West regularly backing up during the afternoon and we are concerned that the backed-up traffic will soon begin to use Spring Clover Drive as a shortcut out of 5400 South. If the road Spring Clover Drive through Applegate does take place and the City takes ownership of it, the new road should be built and paid for by the Applegate Condominium developers according to Murray City regulations and standards with curb and gutter, et cetera.

"We are asking you"--"we are asking you thoughtfully to consider these suggestions as if this was your neighborhood, one where you have lived for 43 plus years. If the approval is granted for the connection, we would like the Commission to then consider the addition of speed bumps at regular intervals throughout the subdivision, like we have seen in many other subdivisions within the valley.

"For as long as the neighborhood has been

here, Spring Clover Drive has been a quiet street where neighbors can stand in the street and converse with one another without the fear of being harmed. Thank you for your consideration."

And then lastly is from Gary Paulsen. Opposition "to making Spring Clover Drive a road going through Applegate"--let's see. "I am opposed to making Spring Clover Drive a road going through Applegate. It would create safety issues worse." It would make the--"It would create safety issues worse. Applegate is a private community that the residents bought to enjoy their peace and quiet. Having one way in and out helps keep the balance in the community.

"The proposed site has a way in and out, making it peace and quiet for them. I hope that you will see that it will cost the City a lot of tax dollars. We that live" and bought homes here are--"We that live here bought our homes here for that purpose."

CHAIRMAN PEHRSON: Okay. Thank you, Susan.

So if you're present and would like to make a public comment, please come up to the podium.

MS. PARKER: My name is Marian Parker. My address is 835 Lucky Clover Circle.

I--my property adjourns--adjoins the

Applegate Condominium. And, sir, there are ten-feet concrete walls from Applegate--currently in place from Applegate's parking--storage parking lot that they want to incorporate into the Fuji Townhomes along our backyard, and it's ten--ten feet high down to eight feet, currently in place, and it has been since before I moved into the subdivision. So they're not all just chain link or vinyl or whatever.

And throughout the subdivision the people that are faced by that triangle are adamantly against having the street come through. I am adamantly against--I have signatures of over a hundred people in that subdivision that are adamantly against having that street come through. If you've ever tried to get out of the subdivision at the time school lets out or at rush hour and get off 54 and 53rd, both of those times--not just school times in the mornings and when school lets out, but also at rush hour, it is terrible to try to get through 5300 South because of the number of cars that go through there.

If you do put a gate back there, we would appreciate it being only controlled by Murray City. Because otherwise, with the fence that is there on their property--we have called them several times through the years because of vandals cutting holes and

going into the storage areas. We have seen things happen. Additional people that have residences along Applegate have complained, as I've been trying to collect signatures, and saying that their maintenance crews are doing things that are not very appropriate next to the chain-link fences that they have in their backyards. And it--safety concerns--in fact, I've asked--told some of them they need to approach Murray City because of some of the things that are happening there. But we are totally against that.

And Applegate--okay. We love--I love the people in Applegate. Every one of them that I know are stalwart citizens. I am probably one of the people that--I have a dual purpose. I have property that adjoins Applegate. I--I love my home. I'm on Lucky Clover. I do own a unit in Applegate that is a rental unit. I have a seller tenant. He's been there for over--close to 10 to 15 years and he's well-respected within that community.

But when I've gone to Applegate meetings, some of the concerns that have been raised in the past, when I brought them up I was told, "Oh, don't worry about it. That's none of your concern because the new--the new R&R will have to pay for it, but--we've already agreed on a tentative sales price, but

they'll have to take care of those things. And Murray City can't hold us to all of the things that they've asked us to comply with on a tentative basis." And so I have extreme concerns and ask the Board to really consider not approving this because of the interactions, number one, I've had with Applegate and, number two, the way that it's going to affect my home and where it sits. Because it will be right there in my backyard.

And so I appreciate your time and I do appreciate all of your time because of the many hours that I know each one of you commit to the City on our behalf--on citizens' behalf. Thank you.

CHAIRMAN PEHRSON: Thank you.

MS. BURKE: My name is Carolyn Burke and I am a homeowner in Applegate. I don't actually live there now, my family is living in the unit, but it is family owned. I live in Taylorsville.

A couple things. I am under the impression that this project was already approved and the medium-density issue was already resolved. And I'm under the assumption that we're mostly talking about the wall and the second entrance to the community, or out of it. I--I don't see any reason why Applegate can't put up a masonry wall to separate the properties. I think

that would be a common courtesy.

That said, I also think that these decisions with respect to building communities in Applegate, whether it's a leased or a unit for sale is Applegate's decision, if we meet the City codes. I don't think the neighborhood really has a right to tell us what to do, if we are doing it properly. That's my opinion. It's a strong opinion.

With respect to the exit out or in of Applegate, I really don't think it's fair to have an opening there and say only Applegate residents can use it. I think if you're going to open it, everyone could use it. And I think the traffic would flow, in my opinion, more to the east than it would the west, specifically with regards to school.

When I was living there and my grandchildren were living with me, the Applegate kids walked to Horizon. There's a shortcut out of Applegate right out to Glen--Glendon, so I don't think that's going to be a huge issue with people driving their kids, other than the neighborhood down Spring Clover over to Germania and then on Glendon. I don't think that's going to be it. But I don't think we should say, "Okay, we want--we want an emergency here and then an entrance where only we can use it."

That said, I don't think that's fair at all. I think if we're going to have an opening there, both sides could use it. And I do believe it would be used quit a bit going east. That's--that's an argument for another day. I don't care one way or another. But I do believe the Applegate residents, with this many units that are going to be there, need another way in and out. And I don't think it has to be through a neighborhood. We need to do something for another artery because we just can't have all of us coming out of one--one exit. Thank you.

CHAIRMAN PEHRSON: Thank you.

MR. SCHNEIDER: My name is David Schneider. I live at 793 West Clover Meadow Drive.

I'd like to address specifically the traffic on the east part of Spring Clover Drive and the south legs of Clover Meadow Drive and Lucky Clover Lane, which is the streets that would be used to get to Halcyon, which is a medium-level collector. Spring Clover, Lucky Clover and Clover Meadow are not collectors, they're subdivision streets.

By my count, there are currently 134 homes along those streets, and if you approve--there already are 172 units in Applegate, Ms. Nixon told me on the phone, and if we add 42, that's 214. So we're going

from traffic for 134 housing units to 348, if access is allowed from the conditional use and the Applegate area onto Spring Clover. So I commend the recommendation of the City planning staff that it be emergency and City access only at the west end of this development.

These subdivision streets were built for these hundred and something homes and they shouldn't be tasked with double or close to triple the amount. I confess I don't have a degree in traffic engineering, but just by common sense I find it hard to believe a traffic study that says out of 214 units, during peak traffic time, it would add four to seven vehicles. That just doesn't seem like good math, and I would hope that you would see that, just on the face of it as opposed to accepting a traffic engineer that says out of 214 units during peak time there would be four to seven additional vehicles. Thank you.

CHAIRMAN PEHRSON: Thank you.

MR. MONSON: My name is Lance Monson, a life-long Murray resident, probably longer than most of you guys are old for sure, including these gray-haired guys. I'm probably still older than you guys.

Anyway, you know, no offense to all these beautiful people, the lawyer types and all that sort

of thing. I've lived in that home almost 40 years. I'm on Majestic Village Circle, so your project is going to give a nice total eclipse of my backyard area. It's just that simple, based on any drawing, whether it's small or otherwise. Obviously, I don't want that.

I've been against this thing from day one, still am. I understand progress, but I like Murray City now. Do we need another project? How many different projects do you guys have to have, all essentially kind of the same thing, multi or high-density housing, all these different places? Do we need a little 42-unit place in what is one of the few little opening places that Murray still has left, really?

And so, yeah, I don't particularly like that idea. But there are some things--there is--when you talk to your people, in my backyard, all the way along that whole fence line back there, there's, like, a big two-inch water main. Whatever you guys do, don't screw that up because we'll all be flooded out. So--and--or if you could move that somehow so it won't be an issue for people like myself and other people that are in there, please. Because that thing has broken before and it's not fun. Okay?

So, yeah, I--I'm not exactly in favor of it. I do like some of the con--you guys at least addressed the concerns that there are people on that other side and we sit down lower, so a big, tall building is going to seem even higher, you know, that sort of thing, and I appreciate that. And the--at least the compromise on the road going through there, with the gate being locked for just a--that seems to be kind of at least a decent compromise on that sort of thing. But, yeah, I mean, if we...

And then the idea that these are rental units, that doesn't exactly sit well. I mean, that may not be politically correct to say, but--and I know you guys can't differentiate between they're a rental unit or for purchase or something like that, but that--that doesn't bode well with me either.

So anyway, thank you for your time. And I'll still continue to be a Murray resident because I don't really want to move, so... But--

CHAIRMAN PEHRSON: Thank you.

MR. MONSON: Thank you.

MS. NIXON: Would you fill out a form, sir?

MR. MONSON: I have one. I'll give it--

MS. NIXON: Okay.

MRS. DUNN: --5320 Majestic Village Circe.

This whole project is full of emotional baggage on both sides. For me, the biggest emotion at this point is discouragement and disillusionment. I finally feel hopeful. The fact that you want to put a gate there and stop those cars so it's an emergency thing, that is wonderful. I feel like we've been listened to.

The fact that you want to put the high masonry wall, I feel wonderful. I feel like we were listened to. Because five years ago when this all started and we first came, the first thing they tried to tell us was they needed to change zoning because if one of the Applegate condominiums burned, they could not rebuild it because it didn't fit the zoning.

Somebody in the know that knows more than me finally got that person who made that statement to admit that was false. And then it's gone on from there. They've changed variance lines on the setbacks. They've changed the variance to get cell towers moved from here to there. My question is: Who?

UNIDENTIFIED SPEAKER: Sorry. New building and we don't know what we're doing (indiscernible).

MRS. DUNN: My question is: You know, I--I don't understand why we have regulations when all the

builders seem to have to do is ask for a variance. You know, "Can I get a variance to put a tiny home in my backyard?" No. And so I think sometimes builders need to be held accountable.

The fact that a masonry wall is more expensive than a vinyl fence, I'm sure they don't want to do that. But my neighbors on Majestic Village Circle, across from me--I'm all the way back in--boy, you are really going to impact them if you don't let that wall remain. That--that's huge. I can't thank you enough for saying that needs to happen and that the gate goes on there.

Because when I talk to people in the neighborhood, and even in the City, a lot of people have just expressed concern that they don't have any faith in our Planning Commission here in Murray at all because everywhere we look, there's high-density housing going up.

I just ask you hold tight to those two things you said, the masonry fence, the gate, because I don't want to be disillusioned and disappointed again.

CHAIRMAN PEHRSON: Thank you.

UNIDENTIFIED SPEAKER: Oh, and one more thing. When you guys talk to each other and your microphone's here and you turn your head and talk to

each other, we lose everything you say (indiscernible).

MS. ROSSI: Yeah. We're older than (indiscernible). That's bad enough.

My name is Deborah Rossi and I live at 877 West Spring Clover Drive. And I'm just a couple houses from where you're talking about connecting, and I'm going to talk about the traffic.

But before I do that, I want to tell you something. When I moved to Murray 35 years ago--I'm from the D.C. area, okay, and I come from a little town that is buried in, has nothing public in it except an elementary school and three churches because our town decided that we were not having anything else. And so I'm kind of used to the people being listened to. We actually made the metro leave our town. Okay? So it's not in our town. And I came from a town that was right there in the dead center, three miles out of D.C. Okay?

When I moved to Murray and I started taking my kids to swimming lessons I could not believe that everybody knew each other. And I couldn't believe how friendly and warm. And I thought, wow, I have landed in a small city in the middle of metropolitan area and it feels so good. And I feel like we're losing a lot

of that. With all the stuff we're bringing in, I think the charm, the things that Murray has going for it, we're selling it, literally selling it, to the highest bidder. And it breaks my heart because I think that's something special Murray has.

So where I live, even though it's not technically a collector, everybody comes into Halcyon, they come down Clover Meadow, they come across Spring Clover, and then they go down Lucky Clover. Now, I'm a numbers hound and I've actually measured it, and it's shorter to go straight down Clover Meadow, so I go straight down Clover Meadow because I save close to one-tenth of a mile, which adds up over the year. And so--I know, I'm weird. Anyway...

But I watch those people. They come and they bring all their kids and they come right in front of my house, and they're late to school and they're hightailing it, and--I've had my own kids almost get hit out there when my kids were little, I mean, they were this close. And when I back out, the neighbors, currently one of them is parking a truck there, and with the fence and the truck, you can hardly see the cars come around the corner.

I don't want more traffic on that road. If they do ever open it up, please put a speed bump in

front of my house and in front of my neighbor's house and a whole bunch of them along there to slow people down. Because at night, when everybody is sleeping--I'm a night owl and I hear the motorcycles ripping through this week at 2:30 in the morning, okay, and I hear the trucks going through and I hear people even then.

But the way this little neighborhood's designed, unless you know your way around it, you can't get around it. You can get yourself in the loop and--and get lost. And I think that's one of the charms of it, which reminds me of the neighborhood I grew up in. Even though we had 2,000 people, you couldn't get from one side of the neighborhood to the other, unless you were a resident, because nobody could follow the road patterns. Okay? I think that's wonderful.

Just really quickly. I think that--we were told--we all came out and protested originally when they went to R-15 and we were told there was no option, that we would have time to speak about things later and it wouldn't come to just a final thing until we had a chance to speak, and here we are at a final thing. So we weren't told accurately because I think it's been pushed through quietly.

The last time that there was supposed to be a meeting, we--a bunch of us got empty envelopes. I don't know if all of you knew that or not. We got empty envelopes and so I called the City and said, "I got an empty envelope. What is it?" "Oh, it was supposed to have been a thing for a meeting." And I talked to probably eight or ten people and I would say probably 75 percent of them also got empty envelopes. So we've not been aware of what's going on, and it's really been frustrating for the neighborhood.

I understand that--a lot of my friends have moved out of Applegate because they knew this was coming. They've sold and they've moved. We've already lost a lot of really wonderful people. Other wonderful people move in, and I understand that. But I don't think that it's fair to change the ground that people buy with and that they expect, and I think that they need to be listened to, so...

And with that, I just appreciate that you guys are all listening to us. And, you know, I--I don't want them to open that up. And when he says that they did a traffic thing, I leaned over and I said, "The only traffic counter I saw was on Halcyon. I didn't see one on the individual streets. I didn't see one on Lucky Clover, I didn't see one on Clover

Meadow, and I didn't see one on Spring Clover. And so it was only done on the count on Halcyon and the count over there, so it was not done well, in my opinion, so...

Anyway, thank you.

CHAIRMAN PEHRSON: Thank you.

MR. DUNN: Hello. My name is Ronald Dunn. I live at 53 Majestic Village Circle.

Well, I wish I could have had all of this information on your website somewhere. I couldn't find it when I looked. It would have been helpful to review the documents that you put together earlier. This sad--sad affair has been going on for five years. I kept the initial notice dated August--28th of August 2018, talking about a public hearing on this very topic, and I must say we've run a few laps on this, as well as seeing the direction change, depending on which developer is currently putting his hands into the pot.

So over the past five years I've had a discussion with residents from Applegate and they say, "Yeah, we've been suffering through three embezzlement scandals; consequently, you know, we haven't had the money to repair and update our somewhat neglected complex." This is seen as a way to generate revenue

to update and repair their sadly needed repairs in their complex. So the advantage of selling this land now, and the same with the other projects when they had more units for sale than this, this generates revenue which means the owners--especially the absentee ones--won't be required to fund these necessary improvements.

Now, the number of proposed units has shrunk in this latest version because the cell phone tower owner--who pays sizable fees to Applegate for an unsightly tower--refused to allow it to be moved. The partially disassembled tower looks hideous, as it towers over nearby homes, including mine. The Planning Commission at the time--this was years ago--approved this unfortunate cell phone tower as Applegate pleaded poverty when--and over the object--objections of neighboring homeowners, such as me.

Homeowners adjoining Applegate have once again been overlooked, for the most part, as this latest iteration wants to build apartments rather than owner-occupied townhomes. And, yes, I have problems with apartments, when I look at the fire--said (indiscernible) example. In addition, the second proposed entry/exit in the new scheme will no longer utilize Murray Boulevard, as was proposed in earlier--

earlier proposals with Applegate. But now we'll no longer use Murray Boulevard, we want to open onto Spring Clover Drive, which is in the heart of my neighborhood. Hopefully, we won't have this additional traffic, if it occurs, because we'll have a gate only available to emergency vehicles from Murray.

Now, some of my neighbors have lived in their homes in nine--since 1978. I have lived here in mine since 1986. As homeowners, we cannot subsidize a poorly managed complex to do their projects that lower our property values. The cell phone tower was bad enough. This latest episode has become a win/loss--win/loss saga in which the homeowners will lose home values and livability if Applegate is allowed to win by selling part of its land for just under $2 million.

The request for the latest exit utilizing Spring Clover Drive should be discussed and researched and restricted, if not denied. Applegate should assess its units as needed to finance the long-delayed improvements. The absentee landlords will complain bitterly, as always, but the neighboring homeowners and their home equity cannot be viewed as inconsequential collateral damage. Thank you.

CHAIRMAN PEHRSON: Thank you.

MS. HOLMES: Hi. My name is Regan Holmes.

I've only lived in--at 864 Clover Meadow Circle since 2019, so I'm definitely a newby when it comes to Murray, even though it's been several years.

I'm curious about the traffic study that is hired by the developer. I'm not sure of the process of that, but that's just one question I have. I'm curious if we can delay parts of this until the residential--from residential to residential, if it's a six-foot, if we could delay that until we can kind of get that worked out. Because it seems to me that if it's--there should be a differentiation between high density and low density when it comes to a barrier, so maybe that needs to change to be a higher barrier if it's a situation where it's high density to low density.

And then my--oh. I think also the school issues for traffic is a valid concern, especially when we consider that Horizon, although it is a neighborhood elementary school, it's actually more of a commuter school because of the (indiscernible) and because Murray District pulls in from surrounding areas. So I do think that that is a valid--excuse me--concern.

And then the last thing is about the trees. When a developer proposes a plan--I saw lots of trees.

So does that actually happen? Is there anybody that follows up on that? So those are my questions. Thank you.

CHAIRMAN PEHRSON: Thank you. Any other comments?

MR. CRAIG: My name is Bruce Craig. I live at 5365 Baldwin Park in Applegate Condominiums.

From the get-go, ever since Core, the property management company, took over, it's been--they've controlled who's gotten on the board and who--who they want to do--on this project. This has been--it's been a money thing ever since they've got in there.

We have--I told them way back when--we do, like, a $300 assessment every year to upgrade and do stuff. Well, for seven years--they didn't do nothing until two years. So they finally did an $800 assessment two years ago, last year a $500 assessment, and then took away the cable TV amenity, which is, like, 50 bucks a month, never replaced it with anything. And then January 1st, raised the fees 20 percent.

In--in the seven years that they've been in control, every time you call them for an improvement or you want something done, they say, "Well, let's

wait until these R&Rs are done. We can't do anything until we get the money." Well, like the one gentleman said, just under $2 million--that was what, six, seven years--five, six, seven years ago? Okay? Property values have increased almost twice, or doublefold, whatever. And anyway, none of us know what Applegate LLC is, whether that controls Applegate HOA or Applegate HOA controls LL--Applegate LLC.

Another thing is--that's been told already, is every time there's--something comes up about this--which we thought was dead in the water--we either get an empty envelope or there's no meeting and then we're surprised with an envelope. So we don't know what's negotiated, who's paying for what, or if we want any improvements--this is being forced on us. So we can't have anything improved or even our water turned on until this goes through.

So I--I believe that the fees have been raised so they can take the cell tower company and pay the half-a-million dollars to move it out of Applegate's money, and then sell the land where they're going to reap $80 or $90 million from this and give us a drop in the bucket, a one-time five or $10,000 per unit, money.

Overall, the con--added congestion, the

noise--and we've already got (indiscernible) on the street--whether you add another inlet or not, which you say you have to, which is fine, but the traffic, the parking and taking away the breathing space, we're already clogged. We've already got--there's--everything around us is al--already full. Are we going to have any space to--to enjoy what we bought? I've been there 33 years. They're taking away the whole reason I bought there.

My next thing is, is it's the money. It's the money. It's all about the money. You guys make property tax, they make--reap millions. We get less space. We're probably one of the last condos left that has--that has a piece of property that comes with our condominium. I don't know of any--any condominiums they're building nowadays that--that own a piece of the land. So that's going to depreciate, that's going to take away from us.

We'll be left with having to go through the water, power, sewage, all that interruption for somebody that's moving in, going to use our amenities, which we've paid for, and we're left nothing. We're left holding the bucket. So I don't think it's a good idea. I think it's wrong. I think, if it was your neighborhood, you wouldn't want it either.

And my last is I--I'd like to know who's in charge because this LLC I don't know anything about. I don't know who controls what. We've never had a--a meeting or been told who's paying for what, who's getting what. You should demand that they provide us at least two or three meetings, or postpone this for a year so they can tell us, "Okay, this is who's--who's paying for the property, this is how much money you're getting, this is how much Applegate will receive, who is--who's putting in--who's paying for the roadway, the--the moving of all the utilities," and so on and so forth.

Because we know nothing. Not one of us know anything. It's--it's four or five people controlling our--our livelihood and we're--we're--we're left--until they can go through this, we can't have anything done. No improvements, period. And for seven years, they could have been improving everything one--one thing at a time through the years and they haven't done nothing.

So, anyway, that's my thoughts.

CHAIRMAN PEHRSON: Thank you.

MR. CRAIG: Thank you.

MS. WOODS: Hi. My name's Abby Woods. I just moved in last October to 5315 South Ben Davis

Park.

I just wanted to express my thoughts for this. It's--I think it's pretty apparent that there's a lot of confusion about what's been going on because it's lasted--as I understand, six years we've been trying to figure this out. And I just kind of also wanted to address the thoughts that it is for money. And I--I think that is an okay and good thing. I think we do need the money.

I've been saving for a long time to finally--this is my first real estate purchase and I'm--I'm really proud of that. But it's difficult to look around and see--there's a lot of, like, porches that are disintegrating and are unsafe. The HOA community, like, pool is fine, but the--the gym is gross and disgusting and no one wants to use it. There's vandalism, the mirrors taken out, stuff like that. It's pretty embarrassing to have worked this far--and it's great to see Utah, you know, like, be thriving, but it--it's kind of hard to be a first-time homeowner and feel a little embarrassed about some of the aspects of my property.

So I'm really in favor of this. I sympathize with the people that may have--you know, like, the--the new townhomes encroach a little bit on their

property, but this is the most spread-out development I was able to find. That's something else important to me because I have dogs. And so there's tons of grass, lots of open areas. Even looking at this map, all the homes look really squished together compared to all this land that Applegate has. So I really don't see that too much as--as an issue, but it's also easy for me to say because I'm not one of those people.

But I also think the other traffic concerns are not an issue, with the gate on the left side. I feel really comfortable about that, given that it's just going to be blocked. I feel comforted with that. And, anyway... So I just wanted to maybe, as a really new homeowner, kind of put that opinion out there that I'm really in favor of this and being able to kind of move on and start improving the community and be proud of it.

CHAIRMAN PEHRSON: Thank you.

MS. HIAM: My name is Alexandra Hiam and I live at 5264 South Rome Beauty Park.

I have been a resident and owner in Applegate for six years and am the current secretary of the HOA board. I have been around since the beginning of this project and to this date I still support it. This

project will bring in money for Applegate to do much-needed maintenance around the property. While I am sad we will be losing some green space, I believe the pros greatly outweigh the cons of this project. I believe it is the best financial decision for Applegate to limit--limit the financial impact multiple assessments will have on our members and speed up our ability to do large projects due to the influx of money.

I, as a resident and a board member, am excited to see this project take Applegate back to its former glory.

CHAIRMAN PEHRSON: Thank you.

MR. HAAS: Joshua Haas, 5184 Gravenstein in the condo complex.

So my first concern is parking. With this current situation, you're taking out all visitor parking, especially for Gravenstein, which is, like, half the units. There's four visitor parking spots in there, and now you're going to take out everything from around--excuse me--from around the clubhouse and the current tennis courts.

So now you're creating a safety concern because people are going to park in the red zone, you're not going to have your emergency access, so

that's a huge concern. We had a resident that had an ambulance and a fire truck come in and they had a hard time getting there. So now you're already creating a bigger concern there, a bigger problem.

The traffic from 53 left onto Murray Parkway--I don't know if any of you have tried making that left-hand turn. I about get T-boned every day. Now you're going to add another 42 units that possibly could be using that? You're going to create a death trap on that road.

Just the safety concerns are immense. How are we going to get friends, family, packages if you're going to put a gate up? Just the flow in there--everyone that bought with the intent of having a quiet neighborhood--now we're throwing 42 more units that is--wasn't planned.

There's been zero transparency of where this money will be used, what it will be used for. So you're getting a one-time--one-time benefit that, through time, will disintegrate. Through time, that benefit will no longer be there, seeing as, you know, there's a useful life with everything, and then we are not reaping any benefits beyond, what, five, ten years? So there's a major concern that way too. Or are we getting anything past that initial benefit?

No. Where's the money being used? Zero transparency on that.

I--I think you can see everyone's concerned that we feel like we're being railroaded and pushed into this without really any plan. What's the plan? What are we using the money for? What's it going to? There--there's been nothing.

We--this vote that supposedly happened within the community? Love to know when that happened. Love to see the outcome of what that vote was because I don't remember it. I don't know anyone else... So, but, I mean, a lot of concerns on transparency, on how this progressed through the years. I mean, if it was your guys's home, I hope you guys would--can see the major concerns.

I understand some people see--you know, there's issues there, but this is a one-time fix and those issues will come back. Thank you.

CHAIRMAN PEHRSON: Thank you.

MS. KELSEY: My name is Natasha Kelsey, and I live on Gravenstein as well.

The main reason I bought was the peaceful quiet and the green. However, upon walking--because I have a dog and she's crazy, so I walk often--I see things falling apart. There have been measures to try

to change that, such as dropping some of the amenities to help with the cost. They've raised dues. We've had multiple--where we've paid lump sums each year. They have tried to avoid this if they could, and I feel like this is what's left.

I feel like--when I've heard them talk--because I've made almost every meeting--they--when I ask about it, they are clear what they were going to do with it. They've talked about doing decks, foundations. They've talked about doing roofs. They were pretty transparent in telling us how many they did that year.

So I think it's hard because I think in the past there's been some problems with people going to, like, HOA meetings and not getting answers, but I feel the recent people are giving answers. And so I think people just need to go to the meetings to get the answers that they're seeking for because they have been talking about it for--since I moved in three years ago.

I know that--in walking and talking to some of the residents, I feel like the only other option would be to do a huge assessment. And a lot of our population is elderly and on a fixed income and there is no way that they can pay 20 grand for an

assessment. And that is our next option, I feel like. So I feel like what's been implemented is a happy compromise and is really ensuring the safety of others. Because there's a lot of safety things that need fixed and I'm for it.

CHAIRMAN PEHRSON: Thank you.

MS. COLOMBO: Hello. I'm Cecilia Colombo and I've lived at Applegate for 13 years now. I live at 5203 Gravenstein Park.

And even though we've had different assessments and that, we've always had a problem with the money to keep up with our--our units and everything. And assessments have been given to people that couldn't really afford them, and some people actually had to sell. So I think that this is a necessary move that we need to make to have the monies to properly upkeep our--our units and our land. You know, just even the grounds and everything around it, the pool.

I think that the access to Spring Clover there, I think that's really wise to put in just an emergency gate. That really makes sense, so that they don't get all that traffic flow.

Also, you know, I do have some concerns about the parking. I live on upper Gravenstein and we don't

have even one visitor parking spot, none. So when, you know, physical therapy comes or home health comes or they come to give you oxygen, they can't park anyplace without being towed. So I-I know these are things that can be worked on, though. I don't think that's going to be a problem.

Let's see. Oh. I did have one concern--and, again, this can be worked out. When they have the gate with a fob or some sort of system for security at the front, how we're going to do that with visitors. And also, will it slow down the flow of traffic coming in and out? That's the only concern.

But I think that's all I have.

CHAIRMAN PEHRSON: Thank you.

MS. GERMAN: I am Michelle German. I live at 5345 Ben--or Wildwood Park in the Applegate community. I have been a resident and an owner there for about two years now.

I am a newer member to the Applegate HOA and just recently this year become the Applegate HOA board president. I was aware of the proposal and what the situation was with it when I bought my condo in 2021. I was very well aware that the vote had been passed and approved by the community in 2017, which then led to the two eight--the 2018 agreement and all of that

that was discussed earlier today.

I am very well aware of the age of the condos. I saw what happened when I had to gut mine out to move in, and I see daily what's happening on the outside. And as an owner, I am frustrated as much as any of the other owners here that things aren't getting done as quick as we would like to. But unfortunately, that's not how this works when things have been embezzled in the past and you're trying to make a recovery.

I bought my condo there for the green space, and I am very saddened at the loss of it, as a board member and as a resident. But it is a needed thing in the community. The community can't make the changes they need to avoid the vandalism, to--to have a place we want to call home. I know most of the residents there are proud to be renters or homeowners or whatever aspect they are, and those that do try their best. They make an effort to do small things every day.

And I am standing here in favor of the project, even with all the sadness and the sorrows that come with it. And I'm excited to see what resolutions this could bring and how we could go from there. It may not be the prime situation that we all

want, but it gets the goal to what we need to do to bring codes up for safety in the community and our individual units and the surrounding neighborhood.

CHAIRMAN PEHRSON: Thank you. Any additional comments?

MR. KELSEY: My name is Chester Kelsey. I live in Gravenstein as well.

Been--lived here for about two years. Been on the HOA board since the first of the year. All of this project has been going on for quite a long time. I personally don't think that this is just a project for money, this is a project to help out the rest of the community so we can have safety, not just for us, but for our fellow residents that are next to us. Because we've had a lot of break-ins, we've had hoodlums, and this would ultimately help that. And it would also help the HOA as well.

The other thing is, is the collector up on the left I do think would be emergency use only and I think that's a wonderful idea. And I do approve of this.

CHAIRMAN PEHRSON: Thank you.

MR. KELSEY: Thank you.

CHAIRMAN PEHRSON: Got any emails?

MR. SMALLWOOD: (Indiscernible) one.

MS. NIXON: Yes, we did get one.

CHAIRMAN PEHRSON: That's great.

MR. SMALLWOOD: I'm reading.

Okay. We did receive an email from Paul Pickett. He states, "My name is Paul Pickett and I live at 5304 Wildflower Lane, Murray, Utah. This is the neighborhood adjacent to the Applegate condos.

"I oppose this development on the grounds that we have crowded roads already. This condo will create a nightmare scenario. The west gate labeled an emergency gate worries me." This--"That could easily be turned into a regular egress when Murray Boulevard becomes overcrowded.

"This is not a prudent project. Please vote against it. Paul Pickett." And that's all we've received.

CHAIRMAN PEHRSON: Thank you. Any other comments before we close the public comments section?

(No audible response.)

CHAIRMAN PEHRSON: Okay. Seeing none, I'm going to close the public comment period. I think I'm just going to address a few things and then maybe I'll have Susan address a few things.

We heard a lot of people talk about the HOA and how it's being managed and how it's organized.

And, obviously, that's outside our purview here. We are considering an application and no--that--that's what we're doing here. But I would recommend you, you know, speak with your app--your HOA board and see what you can do on those grounds. But I--I understand your frustration there. Someone mentioned that it would have been nice to have the information that was presented in this presentation early. I know it's probably not very well known, but all of these packets are posted publicly on the Murray City website. If you Google Murray City Planning Commission, it's, like, the first thing on Google. There's, on the left--or on the left it has the agendas and the packet, which is all these maps and everything. So just--

MR. SMALLWOOD: Chair Pehrson?

CHAIRMAN PEHRSON: Yes. Please.

MR. SMALLWOOD: That is 99 percent of the time.

CHAIRMAN PEHRSON: Sure, that--that is true.

MR. SMALLWOOD: However, we--we did have--we had--we've implemented a new agenda software and the agenda got posted, but we were working as late as Wednesday at 4:00 p.m. to try to get the packet posted and the file was just too large.

CHAIRMAN PEHRSON: I see, too big.

MR. SMALLWOOD: And so we did try and try and try and try and try, but we couldn't get that posted. So that one, unfortunately, was not posted.

MS. NIXON: Actually, it was--it was on the website. There's two places that we post the agendas. One is on the City's calendar, which is the one Zach is referring to, and that was a software program that wasn't working, due to the size of this packet. However, it was on the Planning Commission under our community development website page. That was--

MR. SMALLWOOD: It was because I read--that's how I read it.

MS. NIXON: Yeah.

MR. SMALLWOOD: So it was there.

MS. NIXON: ((Indiscernible.)

MR. SMALLWOOD: I think it's important to know we're not required to post that, but we do for convenience for everybody (indiscernible)--

MS. NIXON: This was also on the state's website, so...

MR. SMALLWOOD: Yeah.

MS. NIXON: But--

MR. SMALLWOOD: So we try to communicate as much as possible. And we get the packet at the same

time the public gets the packet, essentially.

UNIDENTIFIED SPEAKER: Usually, yes. Yeah.

You want to address some of that stuff, Susan? You have things you could address?

MS. NIXON: Sure. The ones that I--

UNIDENTIFIED SPEAKER: I've got some things, if you don't have anything--

MS. NIXON: Sure.

UNIDENTIFIED SPEAKER: --that you want to--

MS. NIXON: Maybe we're going to--

UNIDENTIFIED SPEAKER: I was going to--I thought we could talk about trees. Someone mentioned how--how do we make sure the trees are planted. You could talk about parking requirements and make sure they're all met.

So I'll mention the gate. And we don't know how a gate's going to work. And we're not requiring a gate on the east side. Is that correct?

MS. NIXON: Correct. That--

UNIDENTIFIED SPEAKER: Yeah.

MS. NIXON: We are not requiring it. That's--

UNIDENTIFIED SPEAKER: So the gate on the east side is up to the HOA, whether they're putting that in or not. We know how it's going to work.

We're not requiring that at all. But if you'd talk about the trees and how we make sure that that's all done when the development's done.

MS. NIXON: Sure. The R-M-15 zone, we do not have a minimum or landscaping requirement or have to have so many trees. If it was a PUD, that would be different, but it is not. So the R-M-15, you just have to have landscaping. We can't require a certain amount of trees or whatever. However, there are some very nice trees, as you saw on the street maps. It would be wonderful to maintain those--or retain them, but unfortunately probably a lot of those will be going away with the realignment of the road. It's up to the developer if he can try to retain any trees, but we can't mandate that they keep some of them.

As far as the parking, I apologize. I should have had a parking exhibit on one of my slides here, and I did not. So I'll try to explain to you where the additional parking stalls are to be located. There will be three new stalls to replace existing ones that are around the clubhouse, et cetera, and four of them will be on Baldwin Park, four of them will be on Ben Davis Park. Rome Beauty Park will have 12 and there will be 15 on Gravenstein Park.

UNIDENTIFIED SPEAKER: (Indiscernible.)

MS. NIXON: And that--and I--I apologize. I don't have the park--I should have included the parking exhibit.

UNIDENTIFIED SPEAKER: (Indiscernible.)

MS. NIXON: They're adjacent to the road. Gravenstein is on the east and west side. Sorry, but you--

UNIDENTIFIED SPEAKER: I--I'm sorry. Unfortunately, I don't mean to be rude, but we have--when the public comment period is closed, we have to--unless--unless the Chair opens it back up.

UNIDENTIFIED SPEAKER: (Indiscernible.)

UNIDENTIFIED SPEAKER: Yeah, I understand. And you can definitely talk to any of us after the meeting or--yeah.

MS. NIXON: Anyway. So if that helps as far as the numbers on those streets. And--and, again, I apologize I didn't have a parking exhibit on here because the applicant did provide one.

Regarding the empty envelopes. When the--when we--this application came in, it was originally scheduled for the January 19th meeting. We did send out, again, hundreds of notices. And unfortunately, there were 70, 75 that went out blank envelopes, they did not get the notice. And as soon as one of the

residents called and informed us of that, we immediately sent out another notice within a day or so. Subsequently, the applicant withdrew their application from that meeting, and so the meeting never happened. And they have now come back with this proposal at this time. So I hope that kind of clarifies that.

We cannot--the City cannot mandate owner occupied versus rental. Someone referred to they want to see owner occupied, and we--that's against the law, actually. We can't do that.

Oh, and then the utilities. There was a question about the utilities being shut down during the construction. One of the conditions is that the developer, contractor must maintain the utilities during that realignment of the road, so they will have to keep water, sewer, power going during that construction period. Yeah, they can't shut down everybody for that.

So that's--I think that's about all the comments that I--

UNIDENTIFIED SPEAKER: Okay. Thank you.

MS. NIXON: --noticed.

CHAIRMAN PEHRSON: Do the Commissioners have any comments or discussion?

COMMISSIONER HACKER: I guess I--well, I have just one--

I'll ask one real quickly. So I'd ask the traffic engineer. Is there anything that the City can do on Murray Parkway for left-hand turn, particularly from Applegate onto the parkway? I know there's one sign printed on the concrete to, you know, leave a space for--for people turning in and out. Is there anything else?

MR. ZAWISLAK: I'll speak into the microphone so you can hear me.

So--I mean, honestly, the keep clear is the best option. The next worse, and we choose to wait for UDOT to make the determination as... They could stop all left turns, and I don't think that's the reasonable... We've had enough trouble with the south side. I don't think I would make that recommendation, but it is within the restriction that UDOT may. It's part of their access management, but I don't think that would ever become a problem.

Bottom line, I believe it would just be an enforcement issue, the left turns. I don't think there's any way to improve the geometry of the intersection.

COMMISSIONER HACKER: Okay. Thank you.

COMMISSIONER NAY: So my question is, is what recourse do we have to ensure that the west gate remains a privately held gate and only the City controls it?

MS. NIXON: That would be a good question. But from--my understanding is it would be on the City right-of-way, so Spring Clover Drive. And however they code those security gates, I'm not sure. It's all coded electronically, so...

COMMISSIONER NAY: But, I mean, it's more of a question of how do we ensure that the City doesn't, ten years down the road, say, "Now we want this to be a free--clear public right-of-way."

MS. NIXON: Well, I think the City would be held by its own requirement for request of--we can't go back on our own requirement, I guess is what I would say.

COMMISSIONER NAY: So if it's in the conditions, that's into perpetuity?

MS. NIXON: Yes.

COMMISSIONER NAY: Okay. And then I'll say one thing about traffic engineers. I'll defend them and tell you that they are professionals. Their stamp is their career, and so they do everything in their power to make sure that they offer accurate

information. Whether we agree with it or not, they're looking at not just local areas, but they're looking in the context of the larger area. And what seems like large projects to the public, 42 apartments, in the big scheme of the--of the road network, it's a very small number. And so often you will find that when a project of this scope comes into an intersection, the intersection is close to failing or already failing. It isn't going to change the fact that that--that intersection is close to failing or remains failing.

I've read a lot of traffic studies. I am not a traffic engineer, but they--they tend to above-the-board people, trying to do the right thing, just like everyone else in this room would do, so...

COMMISSIONER MILKAVICH: I think there was also a comment about installing speed bumps, and it's--it's the preference of the engineer and fire department, street department that speed bumps not be installed because they wreak havoc with fire apparatus, et cetera.

UNIDENTIFIED SPEAKER: Snowplows.

UNIDENTIFIED SPEAKER: Yeah.

CHAIRMAN PEHRSON: Other discussion?

UNIDENTIFIED SPEAKER: I'd--I'd ask this

group if we have any comments regarding eight-foot, six-foot masonry versus vinyl wall.

COMMISSIONER PATTERSON: I mean, I guess my comment would be not to sound like a former commissioner, but Scott Berry would always say how long he's been on this Commission and how many of these meetings he's been on.

I'm a--I've been on this Commission for eight years, so I have heard a lot of these meetings, specifically about Applegate. And I've heard a lot of these meetings about other projects that have been really similar, putting in a new development abutting a residential--already established residential neighborhood.

And, frankly, personally, I am shocked at the developer being unwilling to put in a masonry wall. The cost maybe is more, but the impact that you are having on those residents--and most developers and most people that come through here want to be good neighbors and want to work with the neighborhood so that they can have a better relationship with the huge impact that they are about to have. And to--to so fiercely be opposed to an eight-foot masonry wall is absolutely shocking to me. That seems like a very basic thing that you could do to mitigate your huge

impact on those neighbors.

So I personally feel like masonry is important and that the height is important. I--I--like I said, I can't believe that they would be so opposed to something like that.

COMMISSIONER NAY: And to piggy-back on you, it also dramatically improves the quality of the project you're developing. You get the benefit of it as well. So it is a two--a two-way street.

COMMISSIONER PATTERSON: I--I feel that--I feel similarly about the--the fence on the west side. You want to be a good neighbor. And I say this to both the residents in Applegate and to the residents in the neighborhood.

I also am shocked that there are people in Applegate that do not know the difference between Applegate LLC and Applegate HOA, which means that the HOA has a huge job to do to make these things more clear. You need to be good neighbors to the people that are in your--in your development. I--I--I really can't believe that there are people that don't know that these two things have been split and different. I knew it because I got this packet and I saw who the applicant was, and that it was different than the HOA.

There needs to be--and I understand that

there has been frustration for years over this project. I understand that. But the communication between all sides seems to me to need a lot of improvement here. Whether you're for it or against it, there needs to be major, major improvement in communication. And those people that said that they didn't see the vote and weren't aware of it, go back and find your minutes. Those HOA meetings need to have minutes. So go back, be--you know, find out.

I think that there needs to be so much communication on both sides because this--this project, like you said, is going to have a huge impact on the neighborhood and a huge impact on the Applegate residents.

CHAIRMAN PEHRSON: Thanks, Marren. I--I agree with what you said.

Other comments? What about--shall we talk about the road naming? Is that going to be an issue? That was brought up--1(c)? I can't remember what--

UNIDENTIFIED SPEAKER: The county is going to do it.

MS. NIXON: Yeah.

UNIDENTIFIED SPEAKER: So--so where--

COMMISSIONER PATTERSON: I feel comfortable leaving it in as a condition because they will--the

applicant can work that out with the county, of how they're going to name it. That seems silly to me to-- to be opposed to having that as a--as a condition.

MS. NIXON: Yeah, ultimately, it is up to the county, as well as the addressing and naming of streets.

COMMISSIONER PATTERSON: Yeah.

UNIDENTIFIED SPEAKER: Susan, can you say that louder so there (indiscernible).

MS. NIXON: Yeah. Sorry. I mean, ultimately, it is up to Salt Lake County, as far as the naming of streets, et cetera. But they--we try to coordinate through our engineering division that does the actual addressing of the units, et cetera. So there's coordination so that people can get their mail and their pizza delivered, et cetera. So we try to work with the county on that.

CHAIRMAN PEHRSON: Other comments or discussion?

I guess we'd have a motion, if someone's willing to do it.

COMMISSIONER NAY: Mr. Chair, I will make a motion that the Planning Commission grant preliminary and final subdivision amendment approval for the proposed Applegate Condominium amended subdivisions on

the property located at 770 West Applegate Drive, subject to the following ten conditions as submitted.

CHAIRMAN PEHRSON: We have a motion from Commissioner Nay. Do we have a second?

COMMISSIONER HACKER: I'll second that.

CHAIRMAN PEHRSON: We have a second from Commissioner Hacker. Let's have a vote.

MS. NIXON: Okay. Mr. Nay?

COMMISSIONER NAY: Yes.

MS. NIXON: Mr. Hacker?

COMMISSIONER HACKER: Yes.

MS. NIXON: Mr. Richards?

COMMISSIONER RICHARDS: Yes.

MS. NIXON: Ms. Patterson?

COMMISSIONER PATTERSON: Yes.

MS. NIXON: And Chair Pehrson?

CHAIRMAN PEHRSON: Yes.

Okay. Well, I don't know if congratulations are in order or not, but--

COMMISSIONER HACKER: Mr. Chairman, I move to--

MS. NIXON: We need to make another--

COMMISSIONER HACKER: --make another motion.

CHAIRMAN PEHRSON: Oh. Please. Thank you.

MS. NIXON: We need to make (indiscernible).

CHAIRMAN PEHRSON: I (indiscernible).
COMMISSIONER HACKER: I make a motion--
UNIDENTIFIED SPEAKER: (Indiscernible.)
COMMISSIONER HACKER: --that the Planning Comm--
UNIDENTIFIED SPEAKER: (Indiscernible.)
COMMISSIONER HACKER: Pardon me?
MS. NIXON: Use up that--
CHAIRMAN PEHRSON: Go--go ahead. Oh, I'm sorry.
COMMISSIONER HACKER: Mr. Chairman, I'd like to make a motion that the Planning Commission approve the Conditional Use Permit to allow the proposed Fuji Townhouses located at approximately 770 West Applegate Drive, subject to the following conditions, 1 through--
CHAIRMAN PEHRSON: 17.
COMMISSIONER HACKER: --14.
CHAIRMAN PEHRSON: 17.
COMMISSIONER HACKER: 17.
CHAIRMAN PEHRSON: Thank you, Commissioner Nay.
MS. NIXON: No, 14.
CHAIRMAN PEHRSON: We have a motion from Commissioner Nay. Is there a second?

UNIDENTIFIED SPEAKER: That was actually Mr. Hacker.

MS. NIXON: I think there was four--oh, yeah.

CHAIRMAN PEHRSON: Mr. Hacker. I'm sorry. Mr. Hacker made a motion. Do we have a second?

MS. PATTERSON: I'll second.

CHAIRMAN PEHRSON: Second from Commissioner Patterson.

MS. NIXON: I just want to clarify. There's only 14, I think, Commissioner.

CHAIRMAN PEHRSON: We're just clarifying the conditions; is that correct?

MS. NIXON: Oh, sorry. Say that again.

CHAIRMAN PEHRSON: You're just clarifying the condition number?

MS. NIXON: Oh, sorry. Yeah, there is--

CHAIRMAN PEHRSON: Is that--

MS. NIXON: Correct.

CHAIRMAN PEHRSON: We did it correct?

MS. NIXON: There is 17, so (indiscernible) correct.

CHAIRMAN PEHRSON: Okay. Let's do a vote, then.

COMMISSIONER HACKER: Do we need to read

those other three into the record, just so that--

MS. NIXON: Yes.

COMMISSIONER HACKER: --everyone knows? Let's--

MS. NIXON: Yes. We're good at leaving off some of the conditions.

So condition No. 15. The applicant shall meet all of the R-M-15 Zone regulations as Section 17.120.

No. 16. The applicant/property owner shall obtain a business license for the rental units.

And then No. 17 is the sidewalk and the proposed lot/parcel shall be extended on at least one side of the private access on Gravenstein Park Drive.

CHAIRMAN PEHRSON: Okay. Now let's do a vote.

MS. NIXON: Okay. So Mr. Hacker?

COMMISSIONER HACKER: Yes.

MS. NIXON: Ms. Patterson?

COMMISSIONER PATTERSON: Yes.

MS. NIXON: Mr. Nay?

COMMISSIONER NAY: Yes.

MS. NIXON: Mr. Richards?

COMMISSIONER RICHARDS: Yes.

MS. NIXON: Chair Pehrson?

CHAIRMAN PEHRSON: Yes.

Okay. Well, both those passed, and so I'm hoping as this project moves forward that everybody can work together and hopefully you can all come out with a--a decent project where we can at least make some people happy. So I appreciate everybody being here. I think that was our last agenda item.

Do we have anything from staff before we close?

UNIDENTIFIED SPEAKER: I'll let--Jared is shaking his head no.

UNIDENTIFIED SPEAKER: I don't have any updates for you, no.

UNIDENTIFIED SPEAKER: Good.

UNIDENTIFIED SPEAKER: I don't have anything. I think we're anticipating a July 6th. I'm not a hundred percent sure yet, but I think we are.

MS. NIXON: Yeah.

UNIDENTIFIED SPEAKER: So if you'll let us know if you're going to be out of town as soon as possible.

Okay. Travis is out of town.

COMMISSIONER NAY: I'll be in the Netherlands.

UNIDENTIFIED SPEAKER: Okay.

UNIDENTIFIED SPEAKER: I am gone as well, and Commissioner Milkavich knows that.

UNIDENTIFIED SPEAKER: Okay.

UNIDENTIFIED SPEAKER: So she should be here.

UNIDENTIFIED SPEAKER: I'll be gone as well.

UNIDENTIFIED SPEAKER: Oh, my gosh. So we're down to--we're down to four already. So if--

UNIDENTIFIED SPEAKER: I'll be here.

UNIDENTIFIED SPEAKER: Okay. All right. So I've got confirmation that at least most of you will be here. So we will keep that--otherwise, you know (indiscernible).

CHAIRMAN PEHRSON: Okay. Do we have a motion to adjourn?

UNIDENTIFIED SPEAKER: What about a time?

MS. NIXON: Oh.

CHAIRMAN PEHRSON: 8:55.

COMMISSIONER NAY: It's eight fifty--move to adjourn at 8:55 p.m.

COMMISSIONER PATTERSON: Second.

CHAIRMAN PEHRSON: Okay. We're adjourned. Thank you, everybody.

(Requested portion of the meeting concluded.)

C E R T I F I C A T E

STATE OF UTAH)

: ss.

COUNTY OF SALT LAKE)

I, Melinda J. Andersen, a Certified Shorthand Reporter and Notary Public in and for the State of Utah, do hereby certify:

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Utah Rules of Civil Procedure

Part V. Depositions and Discovery

Rule 30

(E) Submission to Witness; Changes; Signing. Within 28 days after being notified by the officer that the transcript or recording is available, a witness may sign a statement of changes to the form or substance of the transcript or recording and the reasons for the changes. The officer shall append any changes timely made by the witness.

DISCLAIMER: THE FOREGOING CIVIL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY. THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE STATE RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS

COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

Veritext Legal Solutions is committed to maintaining the confidentiality of client and witness information, in accordance with the regulations promulgated under the Health Insurance Portability and Accountability Act (HIPAA), as amended with respect to protected health information and the Gramm-Leach-Bliley Act, as amended, with respect to Personally Identifiable Information (PII). Physical transcripts and exhibits are managed under strict facility and personnel access controls. Electronic files of documents are stored

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Minutes of the Planning Commission meeting held on Thursday, June 15, 2023, at 6:30 p.m. in the Murray City Municipal Council Chambers, 10 East 4800 South, Murray, Utah.

The public was able to view the meeting via the live stream at http://www.murraycitylive.com or https://www.facebook.com/Murraycityutah/. It was stated that those who wish to make comments on an agenda item may submit their comments via email at planningcommission@murray.utah.gov.

Present: Jake Pehrson, Chair
Travis Nay
Maren Patterson
Ned Hacker
Michael Richards
GL Critchfield, City Attorney
Jared Hall, CED Director
Susan Nixon, Senior Planner
Zac Smallwood, Senior Planner
Mustafa Al Janabi, Planner 1

Excused: Jeremy Lowry
Lisa Milkavich

The Staff Review meeting was held from 6:00 p.m. to 6:30 p.m. The Planning Commission members briefly reviewed the applications on the agenda. An audio recording is available at the Murray City Community and Economic Development Department Office.

APPROVAL OF MINUTES

Mr. Nay moved to approve the minutes from the April 6, 2023, Planning Commission meeting. Seconded by Mr. Hacker. A voice vote was made, motion passed 5-0.

CONFLICT OF INTEREST

There were no conflicts of interest for this meeting.

APPROVAL OF FINDINGS OF FACT

There were no Findings of Fact for this meeting.

Premier Strand Heating and Air - 6172 South 300 West, Suite B - Project # 23-075
Metal Fabrication and Construction Contractor

Mustafa Al Janabi presented the application for Premier Strand Heating and Air, located in the M-G zone, Manufacturing General. The business is an HVAC fabrication shop and contractor's office. The building is 2,000 square feet. There are two entrances to the property, on the north and east side. There are nine parking spots available. The building will be occupied with one person. The floor plan shows the space is very small used for manufacturing. According to the findings, this application is recommended for approval. The applicant could not be present, but did indicate that he understood and can comply with the conditions as written in the staff report.

Twenty-one (21) notices of the public meeting were sent to affected entities and all property owners for parcels located within 300 feet of the subject property. As of the date of this report, no comments or concerns have been submitted.

Public comment was opened. No public comments or emails were received for this application.

Public comment was closed.

Ms. Patterson made the motion to grant Premiere Strand Heating and Air a conditional use permit to conduct metal fabrication and construction contractor work at the property addressed 6172 South 300 West, Suite B, subject to the following conditions:

1. The project shall comply with all applicable building and fire code standards.
2. The applicant shall provide the allotted parking spaces confirmation from the owner and would commit to the spaces provided by staff. The parking requirements of four (4) spaces for each 1000 square feet of net office.
3. The applicants shall obtain sign permits prior to the installation of any new attached or detached signage.
4. The applicant shall schedule a hazard assessment with Murray City Water Division.
5. The applicant shall meet the requirements of the wastewater department.
6. The property shall maintain the existing landscaping for this building as reviewed in the staff report.
7. The applicants shall obtain a Murray City Business License and pay applicable fees.

Mr. Richards seconded. Roll Call Vote:

A Pehrson
A Nay
A Patterson
A Hacker
A Richards

Motion passed 5-0.

Stubler Subdivision - 6847 South Jefferson Street - Project # 23-050 - Flag Lot Subdivision

Zachary Smallwood presented the application for Shane Hofhine to subdivide the subject property in a flag lot. It is in the R-1-8 zone, which does allow for flag lots, subject to approval from the planning commission. The proposal is to use the north side as their egress and ingress. It will be the required minimum of twenty (20) feet of asphalt with four (4) feet of landscaping on either side. For flags lots, the first lot must have 8,000 square feet, without the stem of the property. The total area is 13,318 square feet. The second lot has to be 125% of the underlying zone, which would be a 10,000 square foot minimum. The proposal is for the lot to be 11,108 square feet. Mr. Smallwood noted a discrepancy on the site plan. It was showing twenty feet on their front and rear yard setbacks. Staff conducted a measurement and stated if the applicant were to push that back five feet, they would still have a buildable area of 3,600 square feet, without impacting where the home would be. The current measurements will meet all the setbacks required.

Thirty-five (35) notices of the public meeting were sent to affected entities and all property owners for parcels located within 300 feet of the subject property. As of the date of this report, no comments or concerns have been submitted.

Public comment was opened. No public comment was made. The public comment was closed.

Mr. Hofhine indicated that he read and can comply with the conditions below. He stated that Murray City was great to work with.

Mr. Hacker made the motion to grant preliminary and final subdivision approval for the Stubler Subdivision at the property addressed 6847 South Jefferson Street, subject to the following conditions:

1. The applicant shall meet all requirements of the City Engineer, including the following:
    a. Meet City subdivision requirements – Murray City Ordinance Title 16.
    b. Provide grading, drainage and utility plan.
    c. Develop and implement a site erosion control plan prior to beginning site work.
    d. Obtain a City Excavation Permit for work within City roadways.
2. The applicant shall meet the requirements of the Fire Department, including the following:
    a. Maintain a twenty-foot (20') width on the access road.
    b. Roads in excess 150' require turn around and shall extend to within 150' of all portions of facility and all portions exterior walls.
    c. Use IFC 2018 and applicable NFPA codes for reference.
3. The applicant shall meet all the requirements of the Murray City Wastewater Division, including the following:
    a. This lot will tie into Mid Valley Improvement District sewer system.
    b. All work must meet Mid Valley Improvement specifications.
    c. Plans currently label everything as Murray Sewer, change plans to reflect Mid Valley Improvement District.
4. The applicant shall meet all the requirements of the City Power Department, including the following:
    a. Power for the new home will need to be fed underground from pole #21247100, which is in the Northwest corner of the lot.
    b. The existing pole mount transformer will need to be upgraded to handle the additional load of the new home.
    c. The developer will need to meet with Murray City Power to discuss planning the new power service(s) and future equipment placement to the building(s).
    d. The developer must meet all Murray City Power Department requirements and the current NESC/NEC code and provide the required easement/clearance(s) for equipment and Power lines.
    e. Please contact John Galanis 801-264-2723 for meter placement on the building(s) and proper metering equipment requirements before construction begins.
5. The applicant shall adhere to all setback requirements of the R-1-8 zone for both parcels.
6. The applicant shall provide four feet (4') of landscaping on each side of the twenty-foot (20') driveway.
7. The applicant shall prepare a Final Subdivision Plat which complies with all requirements of Title 16, Murray City Subdivision Ordinance.
8. The Final Plat shall adhere to the requirements for Flag Lot Subdivisions contained in Section 17.76.140 of the Murray City Land Use Ordinance and as outlined in the Staff Report.

9. The subdivision plat shall be recorded within one year of the final approval by the Planning Commission or the final plat shall be null and void.
10. All detached structures located on proposed Lot #2 shall be removed prior to recordation.

Ms. Patterson seconded. Roll Call Vote:

A Pehrson
A Nay
A Patterson
A Hacker
A Richards

Motion passed 5-0.

Berger Station & Berger Place Condominiums - 171 to 277 West Berger Lane - Project # 23-062
Vacate Berger Place Condominiums and create Berger Station Subdivision (2 Lots)

Susan Nixon presented the application for Jared Shupe of Mighty Munchkins & Kaltech Holdings, LLC to vacate Berger Place Condominiums. The application also includes the creation of a new subdivision called Berger Station. It consists of twelve existing parcels/lots. The total site is 9.397 acres or 409,333 square feet, located in the MCMU zone. It is also surrounded by similar zoning. This application includes the vacation of the existing Berger Place Condominium plat, eliminating units 1 and 2, along with common area. The intent is to create multi-family project on the new lot 102. The current owner of Lot 101 plans to maintain the existing building and parking. The MCMU does not require a minimum acreage for a lot. In reviewing this, staff discovered that there is an existing power easement recorded on the existing plat. It will have to be recorded on the new plat. The corner building is owned by Kaltech. State code, sections 10-9a-604 & 10-9a-60o as well as Murray City code requires that the planning commission review vacation or subdivision proposals.

Sixty-five (65) notices were mailed to property owners within a 500' radius and to affected entities. As of the writing of this report, there have been no comments.

Based on presented information, Ms. Nixon recommends that the commission grant preliminary and final subdivision approval for Berger Station subdivisions subject to the conditions indicated in the staff report.

Mr. Nay asked Ms. Nixon if the frontage on Commerce Drive is wide enough for access ingress and egress on lot number two. Ms. Nixon stated they will have to meet the city width for public access. Berger Lane will be updated for the Northern Access.

Jared Shupe approached the podium and stated he has reviewed the conditions and can comply with them. Mr. Shupe then made a comment regarding Commerce Drive. The access out to Commerce Drive to the south of Kaltech is not wide enough to be a public road and will be a private access. Ms. Nixon said the second access onto Commerce Drive would be reviewed with the project itself and is not applicable to the subdivision review. Mr. Shupe thanked the commission for their efforts.

Public comment was opened. No public comments or emails were received for this application. Public comment was closed.

Mr. Richards made the motion to grant approval to vacate Berger Place Condominiums and grant preliminary & final subdivision approval for Berger Station Subdivision on the properties located 171, 173, 175,177, 179, 237, 257, 261, 273, 277 West Berger Lane, subject to the following conditions:

1. The project shall meet Murray City Engineering requirements including the following:
    a. Meet City Subdivision requirements and standards – City Code Title 16.
2. Meet all Wastewater Division requirements including the following:
    a. Plat sheet must show the existing utility easement as well as the new utility easement that will be in place for the project.
3. Meet all Water Division requirements including the following:
    a. Plat sheet must show the existing utility easement as well as the new utility easement that will be in place for the project.
    b. All water work must be done to Murray City Water's Specification and Requirements.
4. Meet all Power Department requirements including the following:
    a. The developer will need to meet with Murray City Power to discuss planning the new power service(s) and future equipment placement to the building(s) with additional line extension costs to provide electrical service.
    b. The developer must meet all Murray City Power Department requirements and the current NESC/NEC code and provide the required easement/clearance(s) for equipment and Power lines.
    c. Please contact John Galanis 801-264-2723 for meter placement on the building(s) and proper metering equipment requirements before construction begins.
5. Meet all Fire Department requirements.
6. The project shall meet all requirements of the Murray City Land Use Ordinance.
7. The applicant shall prepare the Subdivision plat which complies with all requirements of Title 16, Murray City Subdivision Ordinance.
8. The subdivision plat shall be recorded within one year of the final approval by the Planning Commission or the subdivision plat approval shall be null and void.

Mr. Nay seconded. Roll Call Vote:

A Pehrson
A Nay
A Patterson
A Hacker
A Richards

Motion passed 5-0.

Applegate Condominiums & Fuji Townhomes – 770 West Applegate Drive (approximately) – Project # 23-052 & # 23-054 and

Susan Nixon presented the application by Applegate LLC for subdivision approval of an amended plat and conditional use to allow multi-family development of Fuji Townhomes. The property is currently 23.7 acres. The proposal is to split out a 5.11-acre portion of property from

the 23.7-acre parcel to develop forty-two (42) townhomes. It is the policy and practice of the Murray City planning staff that every application that comes in for subdivision or conditional use is reviewed on its own merit. Staff takes in the application, reviews the code, discusses the issues with various Murray City departments, and consider the surrounding area, to come up with the staff report. The property is currently zoned R-M-15, which allows for up to twelve units per acre. This proposal would equal about eight units per acre, which is under the limit allowed. The area is surrounded by single-family residential areas. Ms. Nixon showed images of the Applegate Community indicating how the property is currently laid out. She then presented photos from inside the community. This request is to split off the 5.11-acre parcel from the 23.7-acre from Applegate HOA. They would realign what is now Applegate Drive and relocate it to the north and west. It would then become Fuji Avenue and would remain a private drive. The utilities would also be relocated. The applicants are asking to connect Fuji Avenue to the west with a public road, Spring Clover Drive. When this project was built in the 1970's, Murray City didn't have a requirement for so many access points to developments. Since then, Murray City has adopted the code that mandates any multi-family projects with more than 100 units must have at least two accesses. This is why the applicant is requesting to connect to Spring Clover Drive. Both the Applegate and Fuji communities will have vehicular, pedestrian and utilities that are cross accessed. Both communities would share the existing and newly proposed amenities. A bit of history was provided by Ms. Nixon. In 2018 the applicant was required to change the zoning from R-1-8 to R-M-15, which is more in line with what the community is. During that process, there was an existing cell tower. These are not allowed in the R-M-15 Zone, but were allowed in the R-1-8. The property became nonconforming after switching zones. For legal nonconforming structures, you can expand or relocate on the same property. The applicant applied for approval for expansion to move the cell tower to a different location closer to 5300 South and Murray Boulevard.

In 2020 Applegate Condominiums received preliminary subdivision, PUD and conditional use approvals. The CUP approval was good for two years. This approval lapsed in June 2022. This current application has been submitted to amend the condos and withdraw the 5.11 acres, as well as the conditional use for the townhome rental units. Ms. Nixon presented an image of the plat for the 5.11 acres, with the boundaries outlined, for comparison and orientation. Applegate currently has 172 condo units, which are individually owned. The proposed 42 units would be owned by one entity, and be rental units, making a total of 214, if approved. There is access currently off Murray Parkway onto Applegate Drive and the proposal would be to reduce the width of Applegate Drive from 75 feet to 43 feet. It will also be relocated to the north and west. The 43 feet would consist of six-foot sidewalks on each side, two-and-a-half feet of curb-and-gutter, as well as 26 feet of hard surface. This is the minimum required by the fire department. The summarized proposal is for Applegate Drive to be relocated to what will be Fuji Drive and then connect to Spring Clover Drive. They are also proposing to have an access gate that would be controlled by a key fob or access code with a transponder to get in and out. The city had concerns with the connection to Spring Clover and the impact that would have on the neighborhood to the west. Upon staff review, based on the 2019 Traffic Study (revised in 2022), staff recommends an additional gate at the connection of Spring Clover Drive and Fuji Drive. It would be emergency access only, which will be controlled by Murray City, for fire, police, and maintenance for sewer clean up. The Traffic Impact Study indicated that there would be five to ten percent traffic going to the west, which is 60 – 100 cars per day, which doesn't sound like a

lot, but when the residential neighborhoods to the west are already bogged down with traffic and a lot of them merge onto Halcyon--Halcyon gets bogged down with traffic and there are speeding concerns. . Ms. Nixon indicated that she is summarizing the traffic issue, but, differed to Mr. Zawislak if the Planning Commission has more questions. Ms. Nixon pointed out the boundaries overlap somewhat in a small triangular section near Spring Clover Drive. This needs to be resolved. This is also the same place that we are recommending that there be an emergency access gate at that location. On the right is the illustration showing approximately where they are proposing to have their access gate into the community. The landscape plan is not updated and shows more units than they're proposing, but it does have the correct configuration and the amenities shown. It shows the configuration of the new Fuji Avenue. The new development would include a sports court, pavilions, barbecue area, and they would also maintain the existing pool and Clubhouse. All those amenities will be shared among both communities, the Fuji and the Applegate. The photo in the upper left shows the proposal for a detention pond in order to meet the drainage for the project. The plans show that it will also be a dog park. The utilities, water, sewer, and engineering will not allow this for various reasons to be an official dog park, because it will be a detention pond.

Mr. Nay asked to explain the various reasons. Ms. Nixon responded it is due to the dog waste and dog waste is not allowed to drain into the sewer system, water utility system.

These are photos of the existing roads that are in Applegate. They are really wide roads at 75 feet. The upper left shows the width. It is wide and does have a median in-between. It's landscaped with trees and is beautiful. Along the perimeter of the road, are a combination of fences and walls. There's some cinder block to vinyl, to wood, to chain link, but there is an existing fence or wall along that perimeter that is generally six feet in height. The photos show the fencing next to Applegate Drive and the existing adjacent residential homes. They are a little bit lower in elevation. Murray City GIS and Engineering Department reviewed the existing elevations. Just to give you an idea of how Applegate relates to the residential neighborhood to the south and west, there is about a 2’ to 3’6” foot difference in grade. So, the residential neighborhood is lower 2’6” to 3’6” feet.

The R-M-15 Zone does have setback minimums. of 25 feet front and rear, then eight feet minimum on one side—a total of 20 between the two sides and in this case, 20 feet between the buildings. The maximum height allowed in R-M-15 is 40 feet. Their proposed dwelling structure with the highest is 33’6”, so they meet all the setbacks and height requirements of the R-M-15. The staff has no concerns with that.

The proposal has two and three-bedroom units with basements. Some of them would have walkout basements, depending on where they're situated on the site. They range from 1,654 square feet to 1,742. The applicants are proposing to have a six-foot vinyl fence along the perimeter of the property, and our code does allow where there's a change in grade at the property line, the height can be measured from either side. So, if for instance, it is six feet on one side and could be eight on the other side. We do have that to allowance that they can measure either. We would like to have some kind of a rendering or elevation showing the difference in elevation existing from the residential to Applegate and the fence and how it would relate to that changing grade. They are proposing to have a 6’ fence, vinyl fence. Staff is recommending an 8’ solid masonry wall. Projects that we have seen over the years, and three or four just recently, we

have proposed 8’ solid masonry walls, which the commission has also required as a condition. An 8’ solid wall helps mitigate any impacts on the adjacent residential neighborhood. What kind of mitigating factors are there? Photos showing the existing subdivision show the majority of Applegate Drive—the units to the north and east have at least a 100’ setback from the residential neighborhood to the West. There are a couple of units down at the south end off Baldwin Park, where they're about 40’ from the property line. At the far northeast corner, the setback is about 10’ to 15’. The majority of the units are a great distance from the residential neighborhood. With this proposal, they would be 25’ from the property line. So, it does have an impact as far as the residential neighborhood to the west.

This proposed townhome development does have connecting sidewalks, where you could walk generally anywhere within the community. We are also requesting that there be a continuous sidewalk and that they include one on Gravenstein, where there is not one now. The R-M-15 zone requires two-and-a-half parking stalls per unit and with the proposed townhomes they would have a two-car garage and then the ability to park probably two cars in front of the garage. So, they meet the requirements for the parking. The proposal also includes an additional 35 parking stalls that are dispersed throughout the development, and those are mainly on Baldwin Park, Ben Davis, Rome Beauty and Gravenstein Park. Parking is not an issue. They meet the code and staff has no concerns with that.

We did send out 502 notices to the surrounding residents within 500’. We did receive a few emails and phone calls. I received an additional three today that I will read into the record at the public comment portion.

The applicant, Ryan Wallace, approached the podium. Mr. Wallace stated he is legal counsel for the applicant, Applegate LLC. He reviewed all the conditions. He does have a few concerns. He stated he appreciates the staff’s recommendations for approval. He knows this has been a long process and he understands the difficulties with the timeline. The Applegate board has been supportive and have gone through the appropriate process for approval, as required by Utah law to purchase the property from the association. There was a vote of the Applegate residents to do this. They are now here to make this work and to pay attention to standards and codes imposed on this development. The first one of concern is requirement 1.A. and 1.O. They had a traffic analysis completed. The traffic flowing down out of the neighborhood, onto 700 West and the traffic it could cause if the traffic were to go through the development. The gate was proposed to limit the traffic to the Applegate residents, so the traffic flowing to that intersection wouldn’t overwhelm the system. That was the main reason for the gate. Then they looked at putting gates on Spring Clover Drive and one other place, so that it would be a cleaner separation between the HOA development and the neighborhood. In that area, that neck of the property that abuts into the existing roadway is very narrow. Trying to get the fire code turn-around was too difficult before. Moving the gate to Murray Parkway is meant to help, not create more traffic issues going through the neighborhood. A supplemental memo was presented by the traffic consultants. The consultants felt the impact on traffic should be less than 10 percent. They think it’s more likely to be on the side of 5 percent. Based on the analysis, doesn’t create undo traffic burden. Given that there isn’t evidence of significant traffic issues and given that a gate with a 100-foot turnaround isn’t feasible, the applicant asked to proceed with the one gate. The applicant asked if there were questions.

Mr. Nay asked if Applegate is allowing the residents to come through the project. Mr. Wallace said if there is no gate at all, yes, but they need to put a gate there. Mr. Nay said that the conservative number of 5 percent isn't accurate, due to the elementary school traffic. He said that based on his experience having been on the planning commission for several years, this generates a lot of traffic with drop-off and pick-ups, thus creating a lot of problems. The amount of traffic is surprising. Murray Parkway at peak hours is abysmal. Until improvements come from the city, this will continue. Mr. Wallace said the studies were done by professionals and the best he can do is rely on the evidence presented by them. Mr. Nay would like to hear from the traffic engineer of the city.

The second concern is the requirement for an eight-foot masonry wall. Mr. Wallace stated there's only one incident he could find where that's allowable under Murray City ordinance and that is when there's a commercial property up against a residential property. He said that in residential development, it's almost always six-foot high, of unspecified material. He questioned why they are being held to the commercial requirement. He understands that under the conditional use permitting statute that there can be additional screening required, but must comply with conditional use standard of identifying detrimental impacts specific to this project and stating why the conditions created are reasonably tailored to mitigate those detrimental impacts and has to apply to applicable standards outlined in city ordinance. Residential next to residential would actually be prohibited from having an eight-foot fence height. Mr. Wallace feels it's not even allowed. He understands a sight and sound screening are important, but there isn't a significant difference between masonry and vinyl. He drove near the development and looked at the fencing. He observed that what exists is chain link or wooden. He feels a vinyl fence meets the criteria of what matches the neighborhood.

Mr. Nay asked Ms. Nixon to talk about similar projects where similar fencing was required, specifically, Brad Reynolds on 5300 South. Ms. Nixon responded that the commission did require an eight-foot fence, as it is an arterial route. They did drop the height to six feet on the north side. She also spoke of a road that was an eight-foot high fence along Winchester Street. She reminded the commission that they are reviewing this on its own merit and the impacts and the surrounding areas. They did require an eight-foot solid wall for the Van Winkle apartments that were approved in 2019 located on 4700 South and 900 East. Also at the Murray Heights development, an eight-foot solid fence was required adjacent to the residential neighborhood, and another similar wall requirement for Bullion Place Subdivision on Bullion Street. We only required a 6' solid; however, the reason it was only a 6' was because there was over 100' setback from the adjacent residential neighborhood.

Mr. Nay comments that we are definitely moving residential units, and a larger number of residential units. It looks about to be three-and-a-half to four-units per home that already exists into this area, and I think that there is significant encroachment on that setback that they have traditionally enjoyed back into the 70's. So, I think that that does serve as a detriment to the neighborhood, and I think it is something that needs to be mitigated. Now, do I think that it has to be solid versus vinyl? I don't know that I have a real strong opinion there, but I do believe the height is something that needs to be considered seriously.

Ms. Nixon stated there is also a section of the code, where we have the exception for properties that exceed one-half an acre in size. Mr. Nay asked if someone can automatically have an eight-foot? High fence. Ms. Nixon responded yes.

Ms. Nixon stated that Mercantile Towns, which is approved just this year in April , has an 8' solid wall adjacent to the residential neighborhood. And the Planning Commission was actually in favor of that. And then the neighbors came and had a back and forth, back and forth, and they actually wanted a 6'. But we had proposed the 8'.

Mr. Nay stated it certainly is within our discretion to recommend an eight-foot fence as a mitigating factor? Ms. Nixon responded yes; it is.

Ms. Patterson mentioned that the Boyer project was residential to residential? Ms. Nixon responded yes it was and that project is called Mercantile Towns which was approved in April this year. That zoning is very similar, it was R-M-15. Ms. Patterson commented that project added a lot right up against it, except they had a lot more buffer between where those houses were already? MS. Nixon responded yes.

Mr. Nay said that the homeowners to the south have had a chain link fence adjacent to Applegate. Applegate has been there since the 1970s and the residents to the south of Applegate Road have had a large open space in the backyards. Mr. Hacker agreed with Mr. Nay and stated that if the setbacks were staying the same, he would tend to agree with the applicant, but they're changing the use from a road and open space to having additional residences on that side of the fence closer to the residential neighborhood. There is some good reason and perhaps some precedent as was discussed earlier to have a higher fence there.

The applicant stated that he understood and thanked the commissioners for those comments. He understands that the city is wholly within its discretion through the legislative process to require higher fences or masonry walls through the legislative process on multifamily developments. He pointed out that here it's a residential next to residential, and the applicable standards require that it's either done compliant with the Murray city code, which doesn't allow for an eight-foot fence except for perhaps on properties greater than a half-acre. If the city does want to proceed down that route and make a distinction between a vinyl versus a masonry fence, it just needs to go through the proper process of specifically identifying on the record, the detrimental impacts that are specific to this application. Then the City must state why these narrowly tailored conditions mitigate those impacts according to applicable standards in the code. Mr. Wallace stated it's important to understand that with city ordinances because they are in Utah law, they've been described as a derogation of property rights of individuals that they have to be narrowly tailored to and any ambiguity or lack of specificity needs to be interpreted on behalf of the property owner and applicant. Unless there are specific statutes or ordinances that allow for the requirement of a greater fence. Masonry is just not something that legally is required. Mr. Nay said that an appellate court could figure that out for Mr. Wallace. The applicant stated that they understand that process.

Next, the dog park requirements were discussed. The main concern with the dog park is the water quality. Ms. Nixon stated that water quality is the concern and understands that dog waste goes into the city system. The applicant asked if there is a connection with the detention pond into the city system or is it just a detention pond where the water goes. Ms. Nixon stated that it does retain the water for a certain amount of time and that the city engineer could probably answer with more specificity on that question.

The next topic was street naming standards. The applicant stated that they had no concerns with the county street naming standards. Mr. Wallace expressed concern with the condition that

it be one of the two names listed in the conditions and as long as the intent is to comply with the Salt Lake County naming standards, they have no issues.

The last issue was regarding the dedication of property on the west side of the proposed subdivision lot. The applicant is happy to dedicate and convey those pieces to their respective adjacent property owners. They indicated they want to make sure it matches up. They are happy to do that, as long as they can make sure they have cooperation with all the impacted parties.

Chair Pehrson asked if any of the commissioners had questions for the staff at this time, none were indicated. Chair Pehrson invited the city engineer up to the podium.

Chris Zawislak, the Senior City Engineer stated in regard to the drain, it does tie into this storm drain system that dumps into the Jordan River that is the City's concern. The City is permitted by the state to ensure stormwater quality.

Mr. Nay asked if Mr. Zawislak could speak to the traffic study. Mr. Zawislak stated that the applicant did address the concerns coming to and from Murray Parkway/700 West by adding the gate there on the site. It is the opinion of the city engineer and he as a traffic engineer are okay with the gate on the east side but would request an additional emergency-only access gate on the west side as it ties to Spring Clover Drive. The engineering division appreciates getting pedestrian access connected. He concurred with Commissioner Nay's concern that there is additional traffic that happens with the school. There are about 340 homes that generate over 3,000 trips in the neighborhoods that surround the proposed development and existing Applegate splits roughly 50/50. The City Engineer did a speed study recently on Murray Parkway, a neighborhood collector. The counter observed about 1,550 vehicles, and that was outside of school hours. He stated that there might be more during the school year it is on the other side. Likewise, if you assume over 3,000 daily trips, probably about 1500 to 1600 coming from Germania Avenue. The engineer's office receives repetitive complaints about speeding and about too much traffic, particularly off Germania to the school. They feel that the conservative five to ten percent would be coming from the subdivision, the applicants are attempting to connect a neighborhood collector into a local street. Streets such as Germania and Riverside Drive, are collector roads, the engineer's office doesn't think there would be much of an objection if the applicant is tying a neighborhood collector into a neighborhood collector, but it is going from a neighborhood collector from this whole subdivision with over 100 homes into a smaller local road. That is why it is the opinion of the city engineering office that an emergency gate will provide the secondary access that is required to minimize the impacts onto the adjacent neighborhoods preventing an additional 60 to 120 vehicles a day per the traffic study presented in the most recent memo. He stated there is an ongoing study in traffic management. He stated that traffic flows like water, it follows a path of least resistance and fills whatever way possible. If you were to restrict both ingress and egress on the east side gate, there's more likelihood that they would use the west access. By restricting the west side gate, they can protect the neighborhood from additional traffic and further complaints.

Ms. Patterson stated she it seems that if they just put the gate on Spring Clover, it protects the neighborhood. And then, they would be choosing to put the gate on Applegate Drive? Is that how other people are understanding this? Yes? That's okay, maybe that's like a silly question.

Mr. Nay stated there's been studies that have shown that gated communities aren't really safer communities. It does limit vehicular access, but it doesn't reduce crime. IMs. Patterson stated

that the traffic engineer said, if the goal is to protect the neighborhood, then we just need the gate that does that on the west end.

Public comment was opened.

Ms. Nixon read an email from Vicki Bateman. She expressed concerns about proposed rentals on the Applegate property where they had lived for 19 years. The Bateman's had bought their condo there because of its nice location and the fact that it was meant for condos and homeowners, not rentals. They never thought they would have to worry about rentals being built there, as it was supposed to be a condo complex. They believed that the realtor Quinn and Mark Core HOA were prioritizing money over homeowners' interests. The situation was kept secret until Murray sent the letter of notice. The board and HOA never informed the owners until they received the letter from the city. A meeting scheduled for May 3 was canceled, raising suspicion. Ms. Bateman lost trust in the HOA, feeling it only cared about financial gains and disregarded homeowners' desires. Ms. Bateman wanted to protect homeowners and their homes, opposing the idea of rentals coming into the complex. They believed they were being taken advantage of by certain individuals. She thanked the commission for their time and consideration.

The next email is from Dave and Kathy Chapel, who expressed major concerns to the Murray City Planning Commission about the realignment of Applegate Drive connecting to Spring Clover Drive. They purchased in the subdivision with the intention of building a home and raising a family in a centrally located community. Applegate Condominiums were already built before they purchased their lot. They believed that the developers and owners should have considered the connection to Spring Clover Drive during the planning stages, which would have influenced their decision to buy the lot. They had no issue with the connection to Spring Clover Drive if it was gated for emergency access only. However, they were concerned that without such gating, traffic might use Spring Clover Drive as a shortcut, leading to congestion on 700 West during the afternoon. They requested that if the Planning Commission approved the connection to Spring Clover Drive, it should be gated with an automated system, accessible only to Applegate residents and emergency personnel. They also asked that any new roads be built by the applicant developers according to Murray city regulations. They suggested the consideration of adding speed bumps at regular intervals in the subdivision to maintain the quiet and safe atmosphere that had characterized the neighborhood for many years.

Ms. Nixon read the next email from Gary Paulsen, who expressed opposition to Spring Clover Drive connecting through the Applegate community. He believes that this change would negatively impact the peaceful atmosphere and safety of the neighborhood. Applegate is a private community that residents purchased to enjoy a quiet environment, and having only one way in and out helps maintain the community's balance. The proposed road would disrupt this balance and potentially cost the city a significant amount in tax dollars. He emphasized that he, along with others who live there, bought their homes in the community specifically for its peaceful and private nature.

That concluded the email public comments. Next resident approached the podium.

Marian Parker, 835 West Lucky Clover Circle expressed strong opposition to the idea of a street coming through the Applegate condominium area. Her property abuts Applegate and stated that there is a 10-foot-high concrete wall currently in place from what has been a parking lot that the developers want to incorporate into townhomes along the backyard. Ms. Parker stated that over

100 signatures have been gathered from residents who are also against the street proposal, citing traffic concerns during school hours and rush hour. She suggests if a gate is installed, it should be controlled by Murray City due to past issues with vandals and safety concerns. She mentioned owning a unit in Applegate and have attended meetings where concerns were dismissed, leading to worries about the potential impact on their property. She urged the commissioners to carefully consider not approving the street project and express appreciation for the board's commitment to the city on citizens' behalf.

Carolyn Burke expressed that although she currently lives in Taylorsville, her family owns a unit in Applegate. She believes the project was already approved in the medium density and assumes the discussion revolves around the wall and a second entrance to the community. Carolyn suggests Applegate could build a masonry wall to separate the properties as a common courtesy. Regarding building decisions in Applegate, she strongly holds the opinion that if they meet city codes, the neighborhood should not have the right to dictate what they do. She thinks it's fair for everyone, not just Applegate residents, to use the entrance if it's opened. Carolyn predicts traffic would flow more towards the east, but she emphasizes the need for an additional entrance for Applegate residents due to the increasing number of units. She believes another route is necessary to alleviate congestion at the existing exit.

David Schneider, 793 West Clover Meadow Drive, addressed the issue of traffic on specific streets, including the east part of Spring Clover Drive, and the south legs of Clover Meadow Drive and Lucky Clover Lane. These streets are subdivision streets, not collectors, and currently serve 134 homes and the existing 172 units in Applegate, with the townhomes the total number of homes would increase to 348. He expressed concern about the impact on these streets if access from Applegate to Spring Clover Drive is allowed. He commended the city planning staff's recommendation for conditional use and city access only at the west end of the development. He questioned the traffic study's findings, which suggested that peak traffic from 240 units would add only four to seven vehicles, finding it hard to believe and hoping the commission would see the discrepancy in those numbers. He urged consideration of the existing capacity of the streets and the potential strain that the additional units might place on them.

Lance Monson expressed his opposition to the project, stating that he has been against it from the beginning and still is. He questioned the need for another high-density housing project in Murray, considering there are already several similar developments. He expressed concern about the proposed 42-unit development, as it would take away one of the few remaining open spaces in Murray. Mr. Monson urged the city to be cautious about the existing water main running along the fence line in the backyard, emphasizing the potential flooding risk if not handled properly. While he appreciated some of the concerns being addressed, he still had reservations about the tall buildings and their impact on the area. He also expressed discomfort with the idea of rental units, though he understood that the city cannot differentiate between rental and ownership units. Despite his opposition, he wishes to remain a resident of Murray as he does not want to move.

Mrs. Dunn stated this has been an emotionally charged project that was riddled with baggage on both sides. She felt discouraged and disillusioned initially but eventually found hope when the proposal to install a gate to regulate the traffic emerged as an urgent and favorable solution. The desire to erect a high masonry wall was also well-received, making her feel listened to and appreciated. The project's history dates back five years when they were initially informed about zoning changes needed for the Applegate condominiums. However, it was later revealed that the

information provided at that time was false. The process continued with alterations to setback lines and relocating cell towers through variances. Mrs. Dunn raised concerns about builders seeking variances too easily, emphasizing the importance of holding them accountable and adhering to regulations. She highlighted the significant impact the masonry wall's absence would have on her neighbors on Majestic Village Circle, and she was grateful for the acknowledgment and support from the commission for keeping the wall and gate in the plan. She expressed her gratitude for the commission's consideration and requested that they stay committed to these key elements, as it meant a great deal to her not to experience disillusionment and disappointment again.

Deborah Rossi spoke about the traffic situation in the area. Although Halcyon is not technically a collector road, many people use it as a primary route. Ms. Rossi stated she is particular about numbers and measured the distances and found that going straight down Clover Meadow was shorter, but most people still use Halcyon. She expressed concern about the safety of children walking to school, recalling incidents when her own kids were nearly hit. Additionally, parked vehicles obstructed visibility around the corner, making it dangerous. She suggested that if the road were to be opened up further, speed bumps should be installed to slow down vehicles, particularly in front of her house and her neighbor's house. She described how the neighborhood's unique layout added to its charm, reminiscent of her childhood neighborhood. She felt frustrated that the community was not adequately informed about the development plans. People were promised an opportunity to speak about the project later, but it seemed that decisions were made without proper consultation. She believes that residents' voices should be heard, as changing the area's character after people had invested in their homes was unfair. Regarding traffic data, she expressed doubt about the accuracy of the study, noting that traffic counters were not placed on individual streets like Lucky Clover, Clover Meadow, and Spring Clover. She believed the study was incomplete and poorly done. Despite her concerns, she appreciated the planning commission for listening to the community's input and hoped that her perspective would be taken into account. She opposed the idea of further opening the road and wanted the safety and character of the neighborhood to be preserved.

Ronald Dunn addressed the commission and expressed his frustration with the lack of information available on the website regarding the ongoing project. He mentioned that the issue had been going on for five years and had seen various changes depending on the developers involved. He had discussions with Applegate residents who shared their struggles with embezzlement scandals, which affected their ability to maintain and update their complex. Selling the land for development was seen as a way to generate revenue for much-needed repairs. However, he believed that adding more units for sale might not be in the best interest of the community, as absentee owners may not adequately fund the necessary improvements. The proposed number of units had been reduced in the current version due to a cell phone tower dispute, which he found unsightly and detrimental to nearby homes. He expressed concern that the new development plan favored apartments instead of owner-occupied townhomes, which he had reservations about after witnessing issues with a previous apartment fire. Furthermore, he was worried about the proposed entry-exit point on Spring Clover Drive, fearing increased traffic in the neighborhood. He advocated for a gate only accessible to emergency vehicles to minimize potential disruptions. He emphasized that many homeowners had lived in the area for several decades and couldn't afford to see their property values and livability decline due to poorly managed projects. He believed Applegate should assess its units and finance improvements rather than selling land for development. He urged the commission to thoroughly discuss and research the request for the new exit point and consider restrictions or denial if

necessary, as the neighboring homeowners' home equity should not be overlooked or compromised.

Regan Holmes raised several questions and concerns about the traffic study conducted by the developer and was uncertain about the process involved. She suggested delaying certain aspects of the project, specifically the barrier between high-density and low-density residential areas. She proposed that a higher barrier might be more appropriate in situations where there is a transition from high-density to low-density housing. She also expressed valid concerns about traffic issues related to the nearby school, Horizon Elementary. Despite being a neighborhood school, its commuter status due to dual immersion and students coming from surrounding areas could exacerbate traffic concerns. Lastly, she questioned the proposed plan for trees by the developer, wondering if the abundance of trees shown in the plan would actually be implemented and if there was a follow-up mechanism to ensure the trees are planted as promised.

Bruce Craig expressed his concerns about the property management company's control over the HOA board and development project. He mentioned that they have been delaying necessary upgrades and assessments for years, only recently implementing higher fees and removing amenities like cable TV without replacements. He questioned the relationship between Applegate LLC and Applegate HOA, unsure of who controls whom. He also voiced frustration about the lack of communication and transparency regarding negotiations and improvements. Meetings were either missed or left residents surprised with minimal information. He believed that the motive behind the development project was solely money-driven, with the property management company raising fees to pay for the cell tower relocation and then selling the land for a significant profit while offering residents minimal compensation. He was worried about the added congestion, noise, and loss of open spaces in the community, feeling that the entire project was focused on profits without considering residents' well-being. He mentioned the potential depreciation of property value due to the changes. He emphasized that Applegate condominiums were unique in owning a piece of land, which would be negatively affected by the development. He urged for more meetings and transparency to understand who is responsible for various aspects of the project, expressing frustration at a select few controlling their livelihoods without proper community involvement. He concluded by stating that the delay in the project would allow for more clarity and understanding of the financial aspects and the impact on the community.

Abby Woods expressed her thoughts on the development project. She acknowledged the confusion surrounding the project, which has been ongoing for six years. She disagreed with the notion that the project was solely for money, stating that she believes the community needs the funds. She expressed pride in making her first real estate purchase but highlighted the deteriorating conditions of porches, the gym, and instances of vandalism within the HOA community. She felt embarrassed about certain aspects of her property and supported the development as a means to improve the community's overall condition. As a dog owner, she appreciated the open spaces in the Applegate community, making it her preferred choice for a spread-out development. She empathized with those concerned about potential encroachments from new townhomes, but personally saw the project as beneficial for the community. She also believed that traffic concerns would be addressed with the gate on the west side, making her feel comfortable with the development. In summary, as a new homeowner, she expressed strong support for the development project, viewing it as an opportunity to improve and revitalize the community, making her proud of her real estate investment.

Alexandra Hiam expressed her support for the development project. As the current Secretary of the HOA board, she had been involved since the project's inception and continued to endorse it. She believes that the project would provide much-needed funds for Applegate, enabling them to carry out essential maintenance around the property. While acknowledging the loss of some green space, she felt that the project's benefits outweighed the drawbacks. She saw it as a prudent financial decision to avoid multiple assessments on residents and expedite larger projects with the additional funds. As both a resident and board member, she was enthusiastic about the prospect of the project restoring Applegate to its former glory. She expressed her excitement for the positive changes it would bring to the community. She showed strong support for the development project, emphasizing its financial benefits and potential to enhance Applegate's overall condition.

Joshua Haas expressed several concerns about the development project. He first addressed the issue of parking, particularly the elimination of visitor parking spots around the clubhouse and current tennis courts. This would create a safety concern as people might park in red zones, blocking emergency access. Mr. Haas mentioned an incident where emergency vehicles struggled to reach a resident in need. He also voiced worries about the increased traffic and safety hazards resulting from the additional 42 units. Making a left-hand turn from 53rd South onto Murray Parkway was already dangerous, and the added units would exacerbate the situation. He was apprehensive about the gate's impact on access for friends, family, and deliveries, as it might disrupt the neighborhood's flow. He expressed concerns about the lack of transparency regarding how the money from the project would be used, with no information on long-term benefits beyond a one-time fix. The lack of clarity and transparency throughout the project’s progression left him and other residents feeling like they were being railroaded into the development without a clear plan or understanding of the money's use. He questioned if a community vote had taken place and the outcome of that vote. He emphasized the need for transparency and understanding the long-term implications of the project. He urged the commission to consider the residents' concerns and the potential impacts on their homes and community.

Natasha Kelsey explained that she purchased her home for its peaceful and green surroundings. However, she noticed the deterioration of certain areas while walking her dog. She acknowledged the efforts made by the HOA to address the issues by reducing amenities, raising dues, and implementing lump-sum payments. She believes that the current development project was a result of careful planning and transparency from the HOA. They had discussed using the funds for various necessary repairs, such as decks, foundations, and roofs. She encouraged other residents to attend HOA meetings to get the answers they seek, as recent meetings have provided clear information. She recognized that the alternative to the development project would be a significant assessment, which could be financially burdensome for many elderly residents living on fixed incomes. She saw the implemented plan as a happy compromise that prioritizes the safety of the community, as several safety concerns need addressing. Ms. Kelsey expressed her support for the current development project, viewing it as a reasonable compromise that takes into consideration the community's financial constraints and safety concerns.

Cecilia Colombo expressed her support for the development project. She mentioned that previous assessments had caused financial strain for some residents, leading to the necessity of finding alternative ways to generate funds for property upkeep and improvements.
She agreed with the idea of adding an emergency gate on Spring Clover for practical traffic management and avoiding congestion. She also acknowledged concerns about parking,

particularly the lack of visitor parking spots on upper Gravenstein. However, she believed that these issues could be addressed and resolved. She expressed concern about security and traffic flow related to the gate and visitors entering the community, but overall, she appeared to be in favor of the project for its potential to improve the community's financial situation and property maintenance. She supported the development project as a means to address financial challenges and ensure proper upkeep of the property while raising some concerns about parking and security arrangements.

Michelle German has been part of the Applegate HOA for about two years and is currently the board president. She was aware of the development proposal and its history when she purchased her condo in 2021, knowing that the community had voted and approved it in 2017, leading to the 2018 agreement. She acknowledged the age of the condos and the frustration of owners due to delayed repairs and improvements caused by past embezzlement. Despite her love for green space, she recognized the necessity of the project for the community's well-being and to avoid vandalism. As a board member and resident, she empathized with the pride of Applegate residents and their efforts to maintain the community. Despite the challenges and sorrow that come with the project, she supported it as a means to bring necessary changes for safety and improvements in the community and individual units. She expressed her favor for the development project, understanding its importance for the community's well-being and safety, despite the loss of the beloved green space. She was hopeful that the project would lead to positive resolutions and improvements for everyone involved.

Chester Kelsey shared his support for the development project. He believed that the project was not solely about money but aimed to improve the safety and security of the community. He mentioned the recurring issues of break-ins and vandalism in the neighborhood, and he saw the project as a means to address these concerns and enhance safety for all residents. He expressed approval for the idea of making the collector on the left as an emergency access only, recognizing its potential benefits. He voiced his support for the project, emphasizing its importance for community safety and addressing ongoing security issues.

Mr. Smallwood read an email from Paul Pickette who expressed strong opposition to the development project. He cited concerns about the already crowded roads in the area and believed that the proposed condo would exacerbate the situation, leading to a nightmare scenario. Paul specifically pointed out worries about the west gate being labeled as an emergency gate, fearing that it could eventually be used as a regular exit if Murray Boulevard becomes too congested. He deemed the project imprudent and urged others to vote against it.

Public comment was closed.

Ms. Nixon commented additionally on some topics raised. The RM 15 zone, does not have a minimum or landscaping requirement. It's up to the developer if they retain any trees. There will be three new stalls to replace the existing ones that are around the clubhouse. Regarding the empty envelopes – the application was originally scheduled for the January 19 meeting, which is when the planners sent out hundreds of notices. There were some that went out blank envelopes, they did not get notice. As soon as one of the residents called and informed the planners, they immediately sent out another notice. Shortly after that time, the applicant withdrew their application from that meeting. They have now come back with this proposal at this time. One of the conditions is that the developer contractor must maintain the utility story that

realignment of the roads so they will have to keep water sewer power going during that construction period.

Mr. Hacker asked if there was anything that the city could do on Murray Parkway for left-hand turns, particularly from Applegate onto the Parkway.

Chris Zawislak, Senior City Engineer, responded stating the “Keep Clear” painted on the road is the best option. He stated that is within UDOT’s restrictions and may be part of their access management. With left hand turns he didn’t think there was any way to improve the geometry of the intersection.

Mr. Nay asked what recourse the city has to ensure that the west gate remains privately held and only the city controls it in the future. Ms. Nixon said she believes the city would be held to its own requirement in perpetuity.

Mr. Nay defended the traffic engineers, stating that their stamp is their career. They do everything in their power to make sure that they offer accurate information. They're looking at not just local areas, but they're looking in the context of the larger area. And what seems like large projects to the public 42 apartments in the big scheme of the road network, it's a very small number. And so often you will find that when a project of this scope comes into an intersection, and the intersection is close to failing or already failing, it isn't going to change the fact that that that intersection is close to failing remains failing. They tend to be above-the-board people trying to do the right thing just like everyone else in this room would do.

Ms. Patterson a long-time member of the commission, shared her thoughts on the Applegate project. She expressed shock at the developer's opposition to installing a masonry wall as a basic measure to mitigate the impact on neighboring residents. She believed the height and quality of the wall were crucial for being good neighbors. Mr. Nay commented to piggyback on you, it also dramatically improves quality of the project you are developing. You get the benefit of it as well, so it is a two-way street.

Ms. Patterson continued stating similarly, she emphasized the importance of clear communication between Applegate LLC and Applegate HOA, as some residents seemed unaware of the distinction. Ms. Patterson acknowledged the frustration and lack of communication on both sides, urging improved dialogue between the developers, residents, and HOA. She emphasized that the project's impact on the neighborhood and Applegate residents warranted transparent and inclusive communication. She feels comfortable leaving the condition regarding naming the streets because the applicant can work that out with the county regarding how they're going to name it.

Mr. Nay agreed with her comments.

Mr. Nay made the motion to grant the Conditional Use Permit to allow the proposed Fuji townhouse located at approximately 770 West Applegate Drive subject to the following conditions:

1) The project shall meet Murray City Engineering requirements including the following:
    a) Meet City subdivision requirements and standards – City Code Title 16.
    b) Meet City storm drain requirements, on-site detention and retention of the 80th percentile storm is required. Implement Low Impact Development (LID) practices.

c) Provide an LID and drainage summary report.
d) Storm drain detention and retention areas should not be used as dog parks.
e) Sidewalks, pedestrian ramps, and crosswalks must meet current City and ADA Standards.
f) Meet City street standards – street grades should not be less than 0.5% and no greater than 10%. Tapers or smooth transitions should be provided at street connections and curves should not impede line of site.
g) Meet City utility requirements and provide PUE's within and along the proposed street.
h) Provide plan and profile drawings of the proposed street and utilities.
i) Provide emergency only access gate meeting Fire Department requirements at Fuji connection to Spring Clover Drive.
j) Provide new water, sewer and storm drain in street and reconnect existing utilities to the new utility lines.
k) Maintain access and utility connections for the existing Applegate community.
l) Based on the proposed street geometry, provide a design speed and speed limit signs.
m) Provide stop signs and coordinate markers at all street intersections and no parking signs along the proposed street.
n) Provide street lighting.
o) Develop a site SWPPP and obtain a City Land Disturbance Permit prior to beginning site construction work.
p) Obtain a City Excavation Permit for work in the City right-of-way.

2) The existing cellular tower shall be relocated off the subject property prior to recordation of the Amended Applegate Subdivision and prior to issuance of any building permits.
3) The project shall meet all applicable Fire Code standards including number and placement of hydrants, adequate fire flow, and appropriate emergency service access.
4) The applicant shall install "No Parking" signage and be enforced on Fuji Avenue for adequate fire safety access.
5) The project shall meet all Water, Wastewater and Power Department requirements.
6) The applicant shall work with the Murray City Water Division to correct the design issues identified in this report.
7) The applicant shall install an eight-foot (8') solid masonry wall adjacent to all single-family dwellings.
8) The creation of the new parcel/lot on a private accessway prohibits any future potential subdivision for individual ownership (townhomes) per Section 16.16.090.
9) The applicant shall remove the dog park from the detention basin area.
10) The applicant shall provide an updated formal landscaping plan prepared and stamped by a licensed Utah Landscape Architect for all landscaping improvements on or associated with the project, meeting all requirements of Section 17.68 of the Murray City Land Use Ordinance prior to the first building permit submittal.
11) The applicant shall provide amended Declarations for both the Applegate Condominiums and the Fuji Townhomes that demonstrate the clear shared use, maintenance, and improvement of the existing clubhouse and pool, and that demonstrate the necessary shared access and parking agreements will continue in perpetuity. A copy of the recorded Declarations shall be provided to the Planning Division.
12) The applicant shall provide a copy of the recorded Reciprocal Easement Agreement to the Planning Division.
13) All new dwellings shall meet the maximum height of the R-M-15 Zone (Section 17.120).

14) The applicant shall provide complete plans, calculations, and soils reports for building permit submittals and to meet all Building Code requirements.
15) The applicant shall meet all of the R-M-15 Zone (Section 17.120) requirements.
16) The applicant/property owner shall obtain a business license for the rental units.
17) The sidewalk on the proposed (lot/parcel) shall be extended on at least one side of the private access on Gravenstein Park Drive.

Mr. Nay made the motion to grant the Preliminary and Final Subdivision Amendment approval for the proposed Applegate Condominiums Amended Subdivision on property located at 770 West Applegate Drive subject to the following conditions:

1. The project shall meet all requirement of the Murray City Engineer, including the following:
    a) Meet City Subdivision requirements – City Code Title 16.
    b) Meet Salt Lake County's requirements for plat recording – reviews by Salt Lake County Surveyor's Office and Recorder's Office are required.
    c) Meet Salt Lake County addressing requirements for street name and unit addressing – Fuji Avenue needs to be changed to Fuji Way or Fuji Drive.
    d) Delineate and designate with dimensions, boundaries, courses, and address coordinates the proposed street. Suggest showing this on a 2nd sheet with a 1" = 40' or larger scale so that it's legible.
    e) Dedicate the triangular piece of property that extends into Spring Clover Drive to Murray City.
    f) Dedicate the strip or property south of Applegate Drive that extends into Murray Blvd.
    g) Recommendation – work with the property owners at 5313 South Majestic Village Cir. and 839 West Spring Clover Dr. to clean up the property line discrepancies.
    h) Show drainage easements in locations that have drainage facilities.
    i) Meet City storm drain requirements, on-site detention and retention of the 80th percentile storm is required. Implement Low Impact Development (LID) practices.
    j) Provide an LID and drainage summary report.
    k) Sidewalks, pedestrian ramps, and crosswalks must meet current City and ADA Standards.
    l) Meet city street standards – street grades should not be less than 0.5% and no greater than 10%. Tapers or smooth transitions should be provided street connections and curves should not impede line of site.
    m) Meet City utility requirements and provide PUE's within and along the proposed street for proposed gas, electric and communication lines.
    n) Provide full plan and profile drawings of the proposed street and utilities.
    o) Provide emergency only access gate meeting Fire Department requirements at Fuji connection to Spring Clover Drive.
    p) Provide new water, sewer and storm drain in Fuji.
    q) Based on the proposed street geometry, provide a design speed and speed limit signs.
    r) Provide stop signs, coordinate markers at all street intersections and no parking signs along the proposed street.
    s) Provide street lighting – show locations and type on site plan.

t) Develop a site SWPPP and obtain a City Land Disturbance Permit prior to beginning site construction work.
u) Obtain a City Excavation Permit for work in the City right-of-way.

2. The existing cell tower shall be relocated prior to recordation of the amended plat and prior to issuance of any building permits.
3. The applicant shall meet all International Fire Code (IFC) 2018.2021 along with National Fire Protection Association (NFPA) codes. Meet all standards including the number and placement of hydrants, adequate fire flow, and appropriate emergency service access and gates. See Department Comments for further details.
4. The applicant shall install and enforce "No parking" signage on Fuji Avenue for adequate fire safety access.
5. The project shall meet all Water, Wastewater and Power Department requirements.
6. The applicant shall install an 8-foot-high solid wall adjacent to any single-family dwellings and must be installed prior to construction of any new dwellings.
7. The sidewalk shall be extended to the property line on Gravenstein Park.
8. The applicant shall provide amended Declarations for both the Applegate Condominiums and the Fuji Townhomes that demonstrate the clear shared use, maintenance, and improvement of the existing clubhouse and pool, and that demonstrate the necessary shared access and parking agreements will continue in perpetuity. A copy of the recorded Declarations is required to be provided to the Planning Division.
9. The applicant shall prepare a Final Amended Subdivision Plat with complies with all requirements of the Murray City Land Use Ordinance and with Title 16, Murray City Subdivision Ordinance and meet Salt Lake County Recorder's requirements.
10. The amended subdivision plat shall be recorded within one year of the final approval by the Planning Commission or the subdivision plat approval shall be null and void.

Mr. Hacker seconded. Roll Call Vote:

A Pehrson
A Nay
A Patterson
A Hacker
A Richards

Motion passed 5-0

DISCUSSION ITEM(S)
No additional items for discussion.

ANNOUNCEMENTS AND QUESTIONS
No announcements for this meeting

ADJOURNMENT

Mr. Nay moved to adjourn tonight's meeting at 8:55 p.m. Seconded by Ms. Patterson. A voice vote was made, motion passed 6-0.

Community Development Director